

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, April 12, 2010

CASE NUMBER: C15-2010-0009

☐ Y ☐ Jeff Jack
☐ Y ☐ Michael Von Ohlen
☐ Y ☐ Nora Salinas
☐ Bryan King - **absent**
☐ Y ☐ Leane Heldenfels, Chairman
☐ Y ☐ Clarke Hammond, Vice Chairman
☐ Y ☐ Heidi Goebel
☐ Y ☐ Melissa Whaley

APPLICANT: Paul Rolke

ADDRESS: 812 EDGECLIFF TER

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 6 feet for a 15 foot existing section of the residence and from 10 feet to 0 feet for the deck in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

MOTION TO GRANT BY BOARD MEMBER VON OHLEN, SECONDED BY BOARD MEMBER WHALEY, VOTE 7-0; GRANTED

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: SF3 zoning does not allow reasonable development to occur on a small, shallow, irregularly shaped lot that is adjacent to a Greenbelt area which was platted in 1913.
2. (a) The hardship for which the variance is requested is unique to the property in that: Extremely shallow lot: 71 ft. on one side, 46 ft. on the other due to curve of road. Consequently, no back yard except for 10 ft. setback; three live oaks (16.5 to 30 inches in diameter) at NW corner occupy some of the limited build able space.

(b) The hardship is not general to the area in which the property is located because: other lots in the area are substantially larger, are not irregular due to curving street
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of

the regulations of the zoning district in which the property is located because: at rear and on SE, lot adjoins city park which cannot be built on

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (63% existing) to 48% in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

MOTION TO POSTPONE BY BOARD MEMBER WHALEY, SECONDED BY BOARD MEMBER VON OHLEN, VOTE 7-0; POSTPONED TO JUNE 14, 2010

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to 5,681 square feet in order to erect an addition to an change to the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

MOTION TO GRANT BY BOARD MEMBER VON OHLEN, SECONED BY BOARD MEMBER VON OHLEN, VOTE 7-0; GRANTED

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: lot platted in 1913, always single family designation not change of use
2. (a) The hardship for which the variance is requested is unique to the property in that: odd lot configuration

(b) The hardship is not general to the area in which the property is located because: all other lots are somewhat different in the area
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of

the regulations of the zoning district in which the property is located because: always intended to be that size and configuration of the original subdivision plat.

The applicant has requested a variance to increase the maximum floor to area ratio requirement of Subchapter F; Article 2; Subsection 2.1 from .4 to 1.0 to .49 to 1.0 in order to maintain (209 square feet) and add (281 square feet) in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.


MOTION TO POSTPONE BY BOARD MEMBER WHALEY, SECONDED BY BOARD MEMBER VON OHLEN, VOTE 7-0; POSTPONED TO JUNE 14, 2010

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Susan Walker
Executive Liaison



Leane Heldenfels
Chairman

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0009, 812 Edgcliff Terrace

Contact: Susan Walker, (512) 974-2202

Public Hearing:

Board of Adjustment, April 12, 2010

Jose + Gloria KIRVEN

Your Name (please print)

808 Hobbs Blvd Terrace

Your address(es) affected by this application

Paul Kirsner + Gloria Kirsner Article 10

Signature

Date

Daytime Telephone: 214 421-7100

Comments: 3rd Appert 1st Paul Kirsner

Appointed in full.

<input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object
--

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2nd Floor

C/O Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

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- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern *(it may be delivered to the contact person listed on a notice); or*
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

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Case Number: C15-2010-0009, 812 Edgecliff Terrace
 Contact: Susan Walker, (512) 974-2202
 Public Hearing:
 Board of Adjustment, April 12, 2010

Kay B. Chang
 Your Name (please print)

☒ I am in favor
☐ I object

804 Edgecliff Terrace
 Your address(es) affected by this application

Kay B. Chang 4-3-10
 Signature Date

Daytime Telephone: (808) 396-6037

Comments:








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 C/O Susan Walker
 P. O. Box 1088
 Austin, TX 78767-8810

Existing Lot Sizes Combined Planning Area

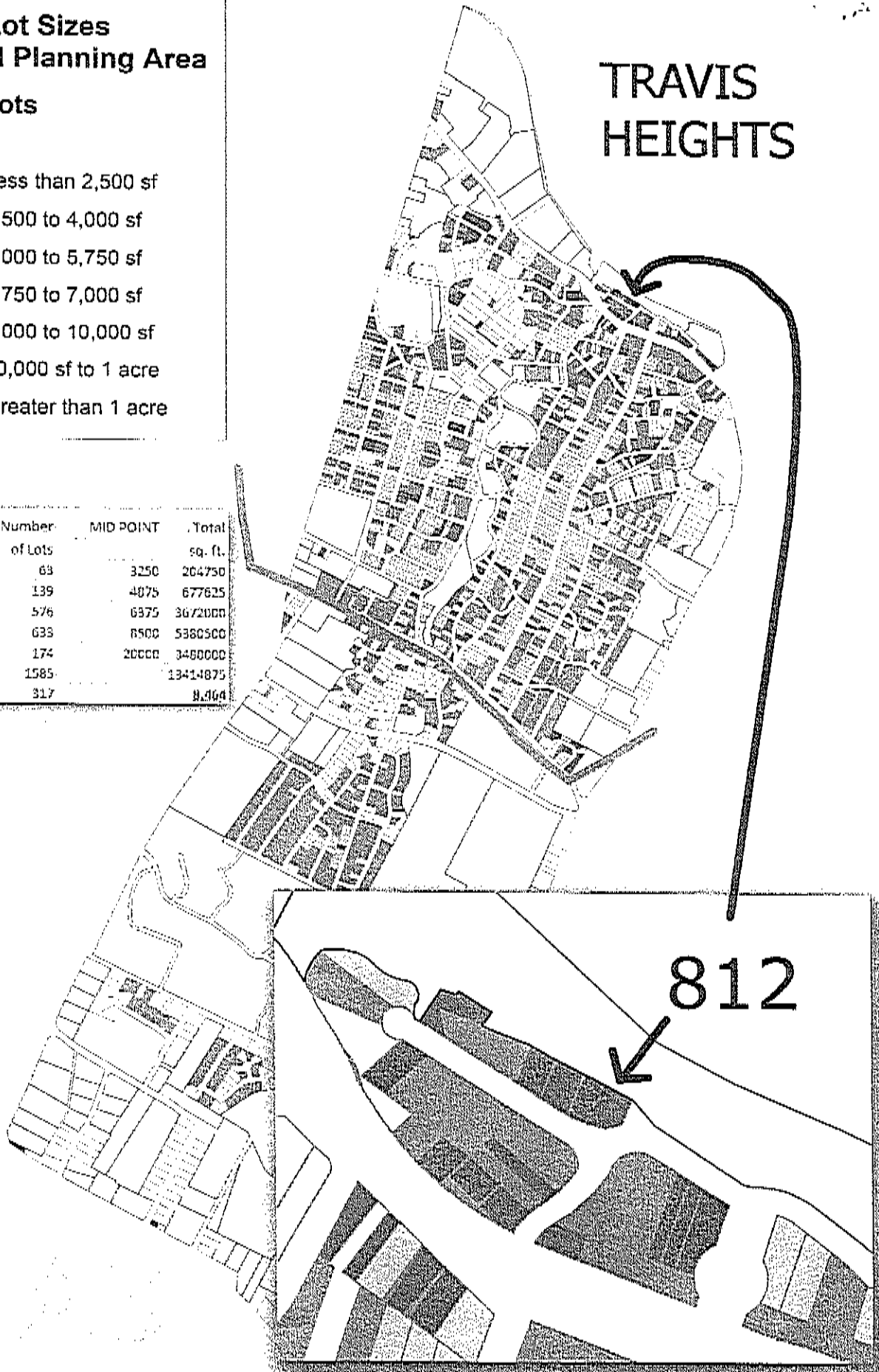
Legal Lots

AREA

-  Less than 2,500 sf
-  2,500 to 4,000 sf
-  4,000 to 5,750 sf
-  5,750 to 7,000 sf
-  7,000 to 10,000 sf
-  10,000 sf to 1 acre
-  Greater than 1 acre

Lot Size	Number of Lots	MID POINT	Total sq. ft.
2,500 - 4,000 Sq.Ft.	63	3250	204750
4,000 - 5,750 Sq.Ft.	139	4075	677625
5,750 - 7,000 Sq.Ft.	576	6375	3672000
7,000 - 10,000 Sq.Ft.	633	8500	5380500
10,000 - 42,560 Sq.Ft.	174	20000	3480000
Total:	1585		13414875
AVG	317		8,464

TRAVIS
HEIGHTS



Walker, Susan

From: Sarah Campbell [sarahecampbell@earthlink.net]
Sent: Wednesday, April 07, 2010 1:55 PM
To: Walker, Susan
Cc: Jean Mather; Teresa Griffin; Claudette Lowe; prolke@earthlink.net
Subject: C15-2010-0009 812 Edgecliff Terrace

Dear Board of Adjustment Members:

On Monday, April 5, 2010, during our regularly scheduled monthly meeting, members of South River City Citizens (SRCC) Neighborhood Association reviewed this case. We heard from the applicant and from our own Zoning & Planning Standing Committee members before rendering a majority vote AGAINST all variances requested for this property. SRCC was not convinced of hardship.

Thank you very much for seriously considering our input.

Sincerely,

Sarah Campbell, President
SRCC

c: Susan Walker, COA

BOARD of ADJUSTMENT

I. Introduction:

A. We seek multiple variances. While the variances are individually straightforward, peripheral issues complicate the situation, requiring this lengthy explanatory document.

1. We feel the proposed development perfectly exemplifies the type of situation requiring intervention from the Board of Adjustment. Given the unique property constraints, a strict "by the book" application of the rules would unfairly deny privileges afforded other owners, whereas granting the variances would conserve the intent of the regulation while improving the character of the adjacent areas and causing no impairment of use.

2. Some of you will prefer to look at the basic information, that information is presented in the application and will be reviewed in my five minute presentation. For those of you, like me, who want to know all the details, you will find them in this document. Specifically in:

- a) The variance request form,
- b) Summary: at III. below,
- c) Scope of Project: at IV below
- d) Our Argument: at V. below, and
- e) The attached exhibits.

3. In hopes of making this document easier to navigate I have formatted it as an outline. That way you can track through it at the level of capital letters (A, B, C...) and read deeper into the sub topics where you want more information.

B. A Procedural Request

1. I believe I have provided sufficient information to deal with the complexities. It will help me avoid getting overwhelmed and confused, and, I think, improve the efficiency of the board's deliberations if we all make an earnest effort to, at least initially, fully explore one topic or aspect at a time and then move to the next.

II. Changes Proposed for the remodel and addition will:

- A. Convert an existing duplex to a single-family home,
- B. Create a contemporary house, a better fit to the surrounding neighborhood,
- C. Alter a redbrick ranch-style façade which mismatches every other house on the street,
- D. Minimize the impacts of a previous and somewhat coarse second-story addition,
- E. Reduce the footprint of the existing home except for adding a front porch,
- F. Significantly decrease the existing impervious cover but not below the 45% standard,
- G. Reduce existing noncompliant features except the FAR.

III. Summary:

A. Our request is consistent with the enabling ordinance for the board of adjustment in that we propose a reasonable use, present unique hardships, do not alter the character of adjacent properties, and do not impair adjacent uses.

- 1. It is consistent with the McMansion ordinance in that our proposed house is "compatible in scale and bulk with the existing neighborhood".
- 2. It is consistent with the Travis Heights neighborhood plan in that it respects the neighborhood character, is a compatible and complementary use, and it enhances the streetscape.

B. We start with an existing duplex which, as built, is noncompliant with the regulations underlying each of the five variances we seek. The application summarizes these noncompliant aspects of the house.

- 1. Our plans will increase the compliance of three out of the five but does not cure them.
- 2. The proposed addition will add 281 net sq.ft. to the existing house, resulting in a FAR of 49%.
- 3. The lot size is substandard by 1% and will not be changed.

C. The proposed house is smaller than the average house on the street and the average of the four closest houses.

1. It is also smaller than the legal development allowed on the average lot in Travis Heights.

D. The lot is bounded on two sides by city parkland. The abutting house on the third side is noncompliant with respect to each of the variances which we seek.

1. The two houses across the street are 21% and 87% larger than the proposed house.

E. By adding a porch, subtracting from the front of the house, and adding at the rear of the house, we are improving the fit of the house to the neighborhood.

1. We cannot identify any way in which our plans will adversely affect anyone.

IV. **Scope of Project** : See Exhibits H0 thru H8

A. The existing Duplex floor plan is shown at the top of Exhibit H1. As built, it is 2,509 sq.ft. Existing FAR is 44% or 209 sq.ft. over the 40% allowed by current regulations.

B. The lot is 5,681 sq.ft. 40% of 5,681 is 2,272 sq.ft. All of our FAR calculations are based on the 2,300 sq.ft. allowed (McMansion, Subchapter F, *Article 1 § 2.1.*), a difference of 1%.

C. Plans call for demolishing the front corner of the boxy two-story addition done in the late 90s, as well as the squared off second-story of that addition, replacing it with a pitched roof - the top of which will be approximately the same height as the existing flat roof. The demolition will result in a decrease of 209 sq.ft. applicable to the FAR.

D. Our plans (see Exhibit H1) call for a second floor addition of 490 sq.ft. on the rear of the house,

E. Thus, our addition will result in a net increase of 5% or 281 sq.ft. applicable to the FAR. The proposed house will be 2,790 sq.ft. with a FAR of 49%.

F. The existing impervious cover is 3,356 square feet or 59% which is 14% over the 45% limit. We intend to reduce impervious cover to 48% or 2,717 square feet, still 3% or 161 sq.ft. over the limit; this is a reduction of 20% total or 80% of the exceedance. See Exhibit H9.

G. We are asking to maintain an existing 4 ft. deep x 12 ft. wide two-story protrusion of the house which encroaches into the 10 ft. rear setback. See Exhibit H3.

H. We are also asking to maintain part of an existing rear wooden deck, which currently extends from the rear of the house to beyond the property line. We will remove that part of the deck which is off the property. The remainder is almost completely within the rear setback, thus a variance is needed. See **Exhibit H6**

V. Our Argument:

A. As we read the ordinance, the intent of having a Variance Board is to address cases where a planned development meets the spirit and intent of the ordinance, but unique attributes of the property cause a "by the book" application of the rules to unfairly deny privileges afforded other owners, the board may then grant a variance from the literal application of the particular regulation, so long as the intent of the regulation is conserved.

1. We believe the variances we are requesting fit precisely within these parameters.

B. The following items apply more or less globally to all of the variances, in that each use that the board allows should conform to the intent of the ordinance.

C. Intent of the Regulation is Conserved: The attached exhibits (N1-N10) include pictures of the other houses along Edgecliff and clearly show that the proposed house is compatible with the immediate area and the neighborhood as a whole; and with respect to each variance sought, it is consistent with the intent of the applicable regulations.

1. Reasonable use: considering the specific attributes of the property and the surrounding uses, what we're proposing is a reasonable use of a SF-3 zoned lot in this location.

2. Special Privileges: while granting the variances will legalize some noncompliant elements of the house, we do not believe it would grant us any special privileges.

3. Unique Hardship: each hardship cited below is unique to the property.

4. Alter the Character of the Area Adjacent: in so far as our plans alter the character of the area adjacent to the property, we believe it is an improvement.

5. Is Anyone Harmed? - Impair the Use of Adjacent Property: depending upon how strictly you define "adjacent", there are no properties developed in compliance with the City requirements adjacent to the subject property. We cannot identify any neighbors who would be harmed in any way by the implementation of our plans, including impairing in any way the uses of their property which they currently enjoy.

6. Impair the Purposes of the Regulations: because the hardships under which the variances are sought are unique to the property, granting these variances should not establish a precedent harmful to the purpose of the regulations.

D. Lot Size: All of the variances we are seeking relate to our primary hardship, which is the small and irregularly shaped lot (Exhibit H0). It is extremely shallow: 71 ft. on one side, 46 ft on the other (due to curve of road). Consequently, there is no back yard except for the 10 ft. setback.

1. Because this information is relevant to all of the variances sought, I will provide details about the lot, the abutting and nearby uses, and the neighborhood as a whole. Then I will address each variance in turn.

2. By our calculations (Exhibit A3 and A4), the average lot size in Travis Heights is ±8,500 Sq.Ft. The average lot size on Edgecliff is 11,144 Sq.Ft. (Exhibit A5) The average lot size of the 4 closest houses is 7,911 sq.ft. (Exhibit A5) Those average size lots are respectively 50%, 96%, and 39% larger than the 5,681 sq.ft. subject lot

3. While Exhibit A5 lists the FAR of the other houses on Edgecliff, I encourage you to more or less ignore those numbers, except insofar as they show that some of my neighbors are also noncompliant with respect to FAR. A substantial part of our argument is that using the one-size-fits-all FAR as the only metric to determine compatibility is erroneous when applied to this small irregular lot.

a) Instead, you are authorized to assess the actual neighborhood and make your own determination as to whether the project is compatible and conforms to the intent of the regulations.

(1) We encourage you to compare the size and bulk of the proposed house to the size and bulk of the surrounding houses.

(2) and to compare it to the actual look and feel of the other houses in the area.

(3) If you determine that our proposed house is compatible, then the only remaining question is “does the project impair the use of adjacent property developed in compliance with the City requirements?”

E. Adjacent Uses: See Exhibit A2

1. The subject property is surrounded on two sides by city parkland.
 - a) At the rear of the property, about 4 feet beyond the property line, there is an approximately 35 foot cliff. This ensures that the two non compliant features at the rear of the property will have virtually zero impact on the adjoining city land.
2. The only abutting property (808 Edgecliff) is noncompliant with respect to all of the variances we are seeking. It is therefore expressly excluded as a point of comparison regarding "impaired use".
 - a) Our plans actually reduce any negative impact on this adjoining property resulting from the noncompliant features.

F. Area Character:

1. We think our argument that the proposed house is compatible in scale and bulk is valid on its face when applied to the nearby houses on the street.
 - a) The McMansion ordinance appears to seek compatibility at the neighborhood scale. The Board of Adjustment enabling ordinance focuses more on the immediate vicinity, referring to effects on adjacent properties.
 - b) Compatibility at the neighborhood scale is difficult to assess. This house would be far less compatible on one of the quaint bungalow lined streets up the hill, but would fit perfectly on other streets in the neighborhood.
2. For this case, consider giving more than usual weight to the immediate vicinity vs. the neighborhood as a whole for the following reasons:
 - a) the character and feel of the SRCC neighborhood varies from one subsection of the neighborhood to another.
 - b) Edgecliff is separated from the rest of the neighborhood by a major thoroughfare – Riverside,

- c) It is completely surrounded by park land,
- d) About 170 ft. past the subject property the street dead ends.
- e) Consequently, the impact of Edgecliff development on the rest of the neighborhood is minimized.

VI. Addressing Each Variance in Turn.

A. Substandard Lot: Exhibit H 10 is from the original 1913 Travis Heights plat, zoomed in to show the intersection of Edgecliff and Alta Vista with lot # 16 clearly visible and just like it is today.

- 1. While the lot is 1% below the standard for the proposed single-family use, for its current use as a duplex it is more undersized (substandarder?).
- 2. I have not looked very deeply into the issues surrounding a substandard Lot but I'm assuming that if it was a legal lot before any of us were born, it still is, and the 2, 300 sq. ft. provision of McMansion, Subchapter F, *Article 1 § 2.1*, applies.
- 3. As long as you're looking at it, note that the plat, in contrast to the TCAD map, clearly shows that Alta Vista does not exist on the lake side of Edgecliff Ter.

B. FAR: Given a lot substantially smaller than others in the area, strict application of FAR as the sole measure of "compatibility in scale and bulk with the existing neighborhood", deprives me of the privilege enjoyed by other owners in the area to have a 2,790 sq.ft. or larger house.

- 1. The FAR is a pretty good tool for determining, in general, if a given property meets the standard of "compatibility in scale and bulk with the existing neighborhood". We argue that a measure based only on lot size exceeds the intent of the regulation in this case, and given the minimal impact on the existing uses adjacent to and in the vicinity of the property, it unfairly limits the development of this property.
- 2. The RDCC could grant this variance, of less than 25%, based solely on compatibility without considering hardship.

3. The right column of the "Lot Size" table in **Exhibit A6** compares the square footage of the proposed project to the allowed house sq.ft. for the average sized lot 1.) in the subdivision, 2.) on the street, and 3.) adjacent to the property. In each case, it shows that the allowed development on the average Lot exceeds the square footage of our proposed house.

4. **Exhibit A7** shows the size of our proposed house compared to the size of the other houses on Edgecliff. And **Exhibit A5** calculates the average house size of the nine other houses on Edgecliff and the four closest houses.

a) Our proposed 2,790 sq.ft. house is 341 sq.ft smaller than the average of the 10 houses on Edgecliff and 839 sq.ft. smaller than the average of the four closest houses, one of which is on a half lot.

b) Note that we seek to exceed legal FAR less than 25% based on either 40% of the actual lot size or 2,300 sq.ft.

c) It is also worth noting that the square footage used to calculate FAR for the other houses is based, in most cases, on TCAD numbers, which notoriously undercount actual square footage

5. The **exhibits N1 through N10** are a tour of the street. They include photographs, FAR calculations, and lot size for all of the other houses on the street. They show that our proposal is compatible with respect to bulk and scale. Please review them.

a) The top of **Exhibit N3** includes a 360° panorama taken from the street in front of the property. It shows that the existing property and the proposed addition are dwarfed in terms of scale and bulk by the two houses across the street.

b) Note that 1000 AltaVista is setback only 10 feet from the right of way on Edgecliff. But its 25 foot setback from AltaVista, combined with the widening of the road at the Edgecliff intersection opens up the streetscape in front of the subject property; in Europe it would qualify as a plaza. The subject property, in this context, seems relatively small and sufficiently distant from the street.

6. If we are not harming anyone, and we are compatible with respect to bulk and scale, we ought to be able to develop a house which is below average for the subdivision, street, and adjacent properties, but exceeds the 40% FAR standard.

C. Impervious Cover: The small lot and the footprint of the existing duplex make compliance with the impervious cover standard extremely challenging. We are significantly reducing existing non-compliance. See **Exhibit H9**.

1. We have not done absolutely everything possible, but argue that demolishing more of the existing structure would create an unreasonable burden, as would demolishing the very substantial rear deck. And we feel that the addition of a front porch is a positive contribution to the character of the neighborhood.

2. The remaining impervious cover, less than 3% over the 45% limit, should be mitigated by the existence of undeveloped park land on two sides of the lot.

D. Existing 4 ft. deep x 12 ft. wide protrusion of the house, which encroaches into the 10 ft. rear setback.

1. Our plans will reduce the impact this existing feature has on the adjoining property by

a) cutting off the corner of the protrusion nearest to the abutting property, and

b) moving in the second story external wall, which faces the abutting property, farther from the property line, creating a small uncovered deck on the second story. See **exhibit H1**

2. A simple way to justify this variance is to note that the footprint of the protrusion is more than offset by the adjacent portion of the legal buildable area occupied by three live oaks (20 to 30 inches in diameter). See **exhibit H3**

3. We are dramatically reducing the bulk of the previous addition in terms of what will be seen and felt from the street by,

a) taking 6'7" off the right side of the garage and tapering back at 45° to the front wall of the original house.

b) On the remaining garage façade we are removing the boxy second floor and replacing it with a pitched roof, the top of which will be roughly the same height as the existing flat roof..

c) See the difference in the Exhibits H5 and H7

E. Existing Deck:

1. As built, the deck extends beyond the property line. We will remove that part of the deck which encroaches on the city parkland.
2. We are asking to maintain the remainder of the deck (600 sq.ft.), very nearly all of which encroaches into the rear lot setback.
3. The only privately owned abutting property (808) has a house which encroaches beyond the rear property line approximately 5-13 ft. with a concrete porch encroaching an additional 8 ft. beyond the house. Therefore it is not a conforming property in regard to the specific variance requested here. See **exhibit A9**
4. The adjacent property at the rear, and along the southeast edge of the lot is city parkland. See **Exhibit A2**.
 - a) Approximately 4 feet beyond the rear property line is a roughly 35 foot cliff down to Lady Bird Lake,
 - b) Thus, adverse impact on this adjacent property is virtually eliminated.
5. The Only other house on the same side of Edgecliff is approx. 160 ft. from the subject lot and also has no back yard except for the rear setback and the setback is completely covered with a 100% impervious porch. See **exhibit A9**
6. There are only three lots on the lake side of Edgecliff.
 - a) They are all very shallow compared to other lots in the area.
 - b) In each case the houses are built 10 feet or less from the rear lot line with a back porch behind the house occupying the rear set back area.
 - (1) On these three lots, which are unique in adjoining the parkland and overlooking the lake, it appears that, in lue of a backyard, common practice is to have a back porch in the setback area and treat the parkland and the Lake essentially as back yard.
 - (2) A sample of only three lots is hardly sufficient to define something as common practice in an area, but it is technically universal practice for the houses on the lake side of Edgecliff.
7. As shown in **Exhibit H6** the deck is very substantial.
 - a) Note the massively over engineered pccr and beam substructure of the deck shown in the Bottom left hand side

8. In light of the lack of any adjacent conforming development, doing no harm, and the substantial heft of the deck, we assert that it would create an undue hardship to require that we demolish this existing feature.

VII. Neighbor Approval:

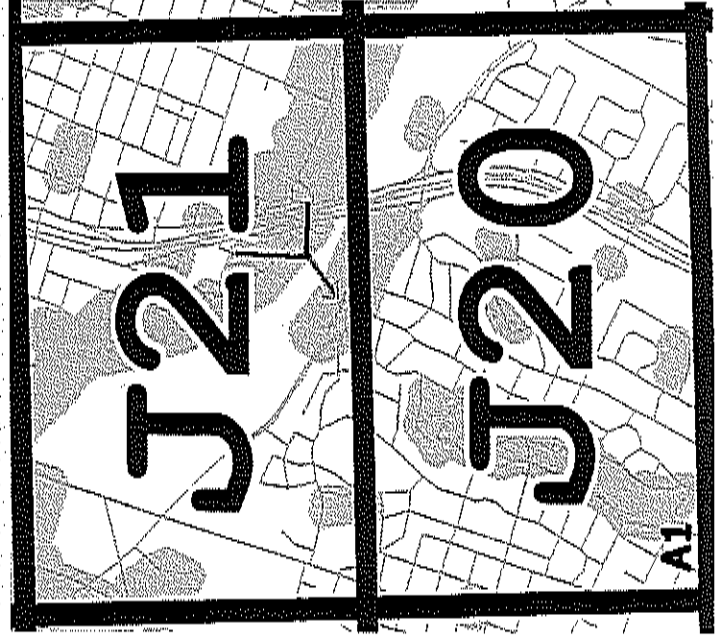
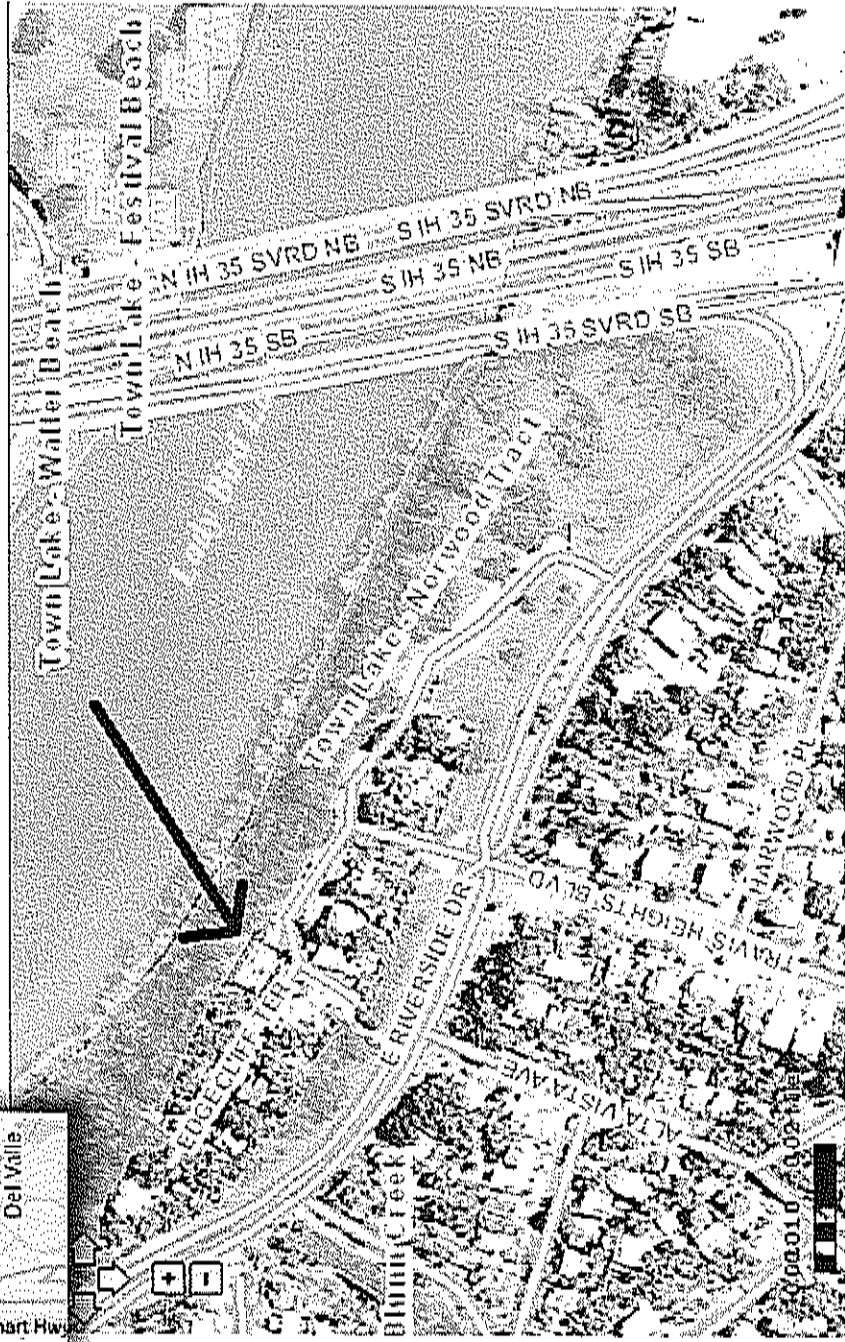
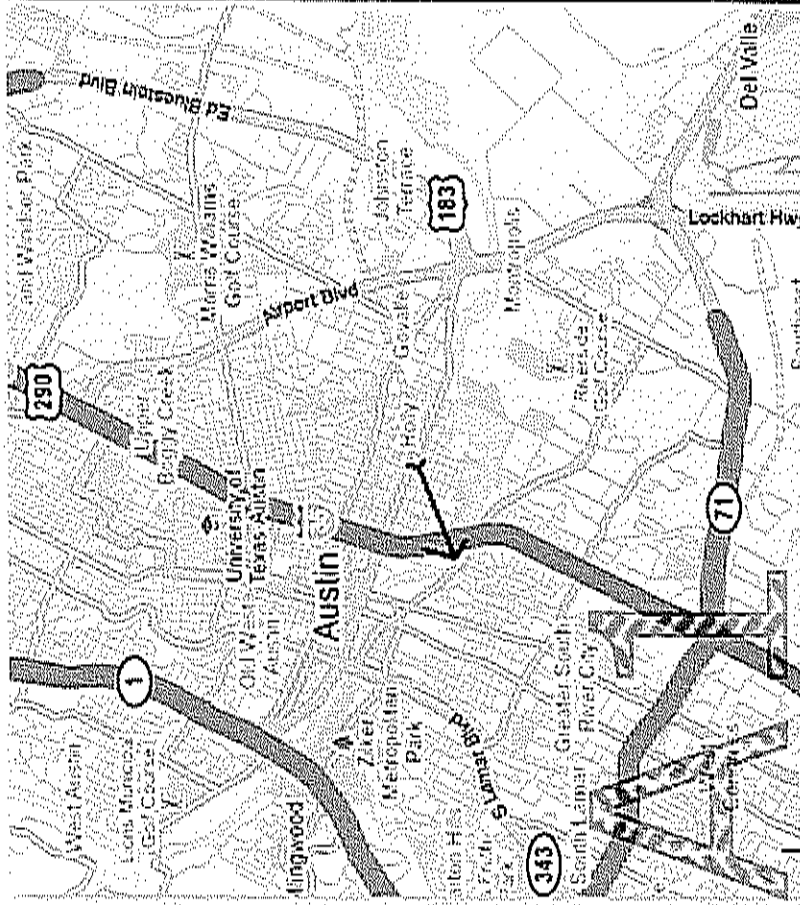
A. Included in your packet, you will find sign off sheets from most of my neighbors on Edgecliff declaring their approval for my plans.

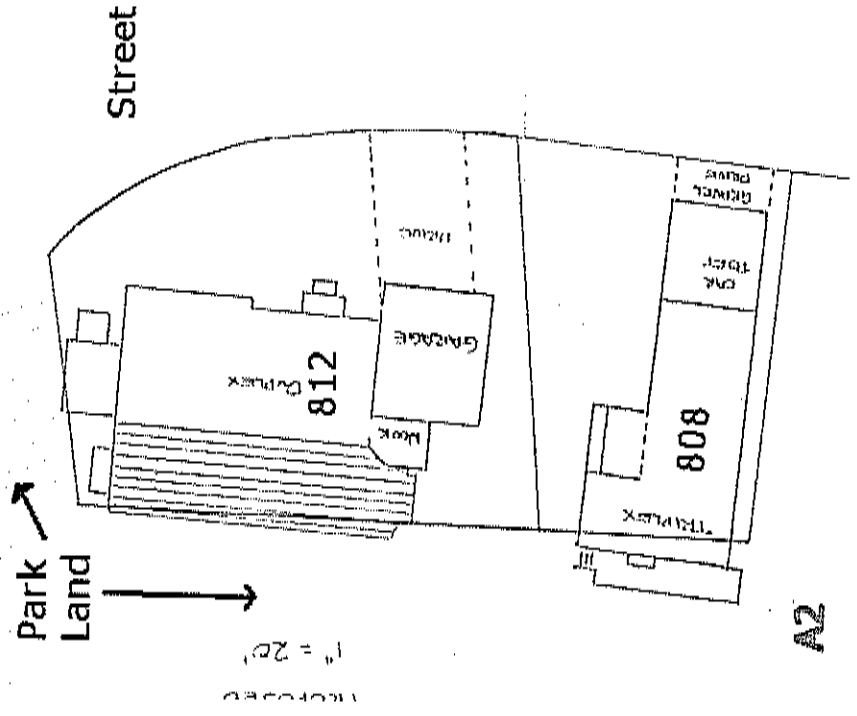
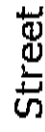
1. There is also a map showing which neighbors have documented their approval of my plans.

2. I expect to have the approval of all of my neighbors by the date of the board meeting.

812 Edgecliff Terrace

- ☐ West of I-35
- ☐ Between Riverside and Lady Bird Lake
- ☐ The Very Northern Edge of Travis Heights
- ☐ Other End of Edgecliff from Dog Park and The Norwood House, at Riverside and I-35












Existing Lot Sizes Combined Planning Area

Legal Lots

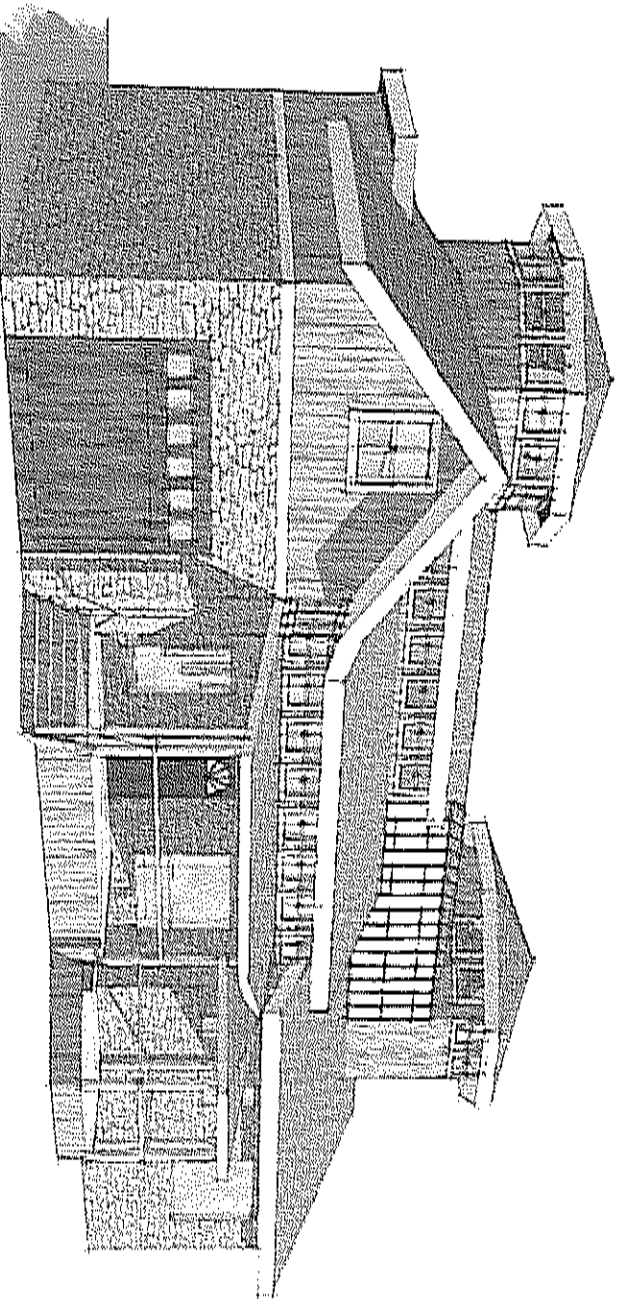
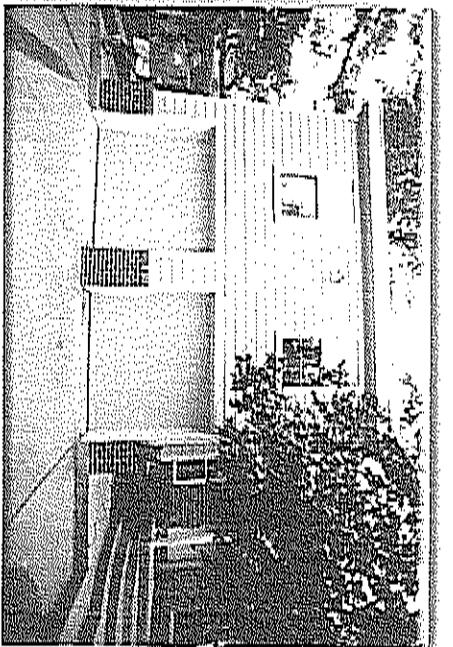
AREA

	Less than 2,500 sf
	2,500 to 4,000 sf
	4,000 to 5,750 sf
	5,750 to 7,000 sf
	7,000 to 10,000 sf
	10,000 sf to 1 acre
	Greater than 1 acre

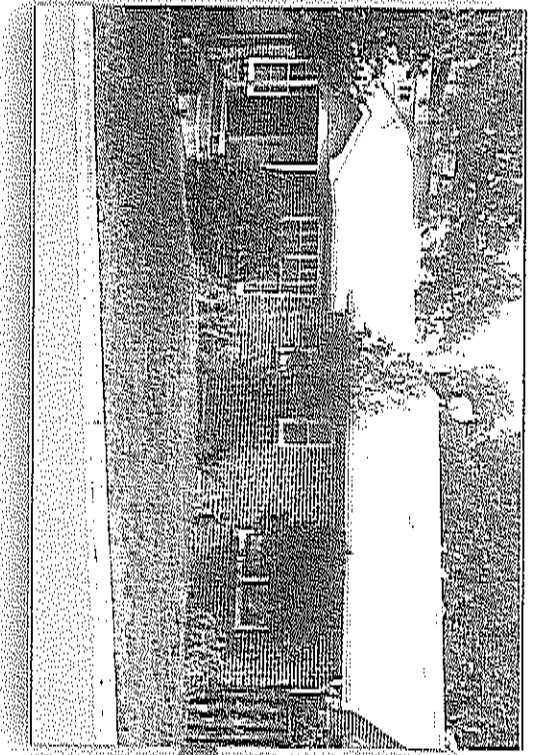
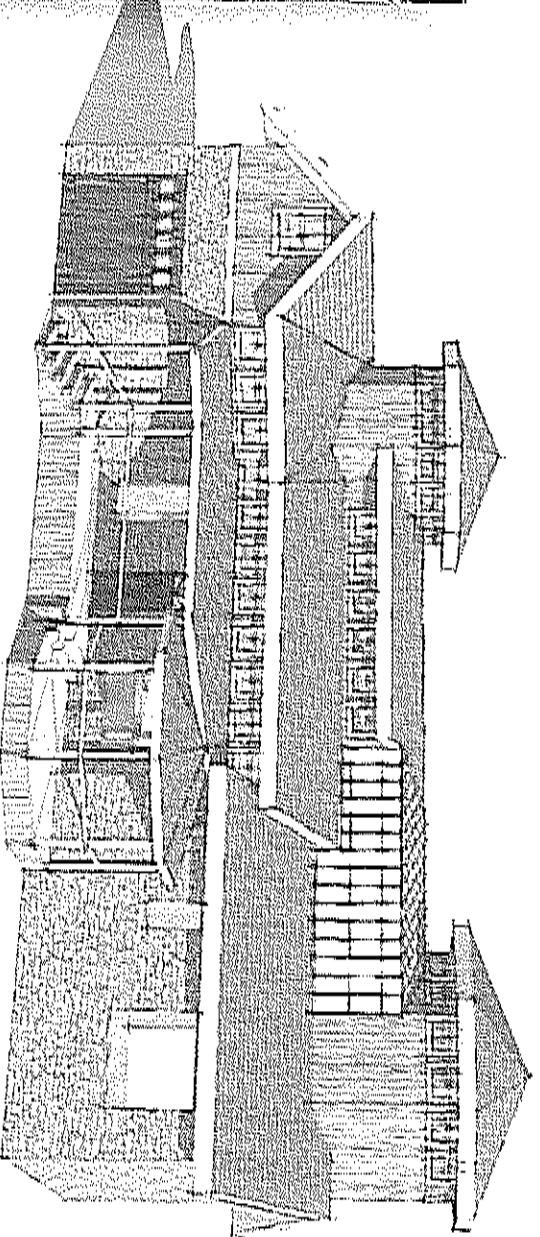
Lot Size	Number of Lots	MID POINT	Total sq. ft.
2,500 - 4,000 Sq.Ft.	63	3250	204750
4,000 - 5,750 Sq.Ft.	139	4875	677625
5,750 - 7,000 Sq.Ft.	576	6375	3672000
7,000 - 10,000 Sq.Ft.	633	8500	5380500
10,000 - 42,560 Sq.Ft.	174	20000	3480000
Total	1585		13414275
AVG	317		8,464

TRAVIS
HEIGHTS



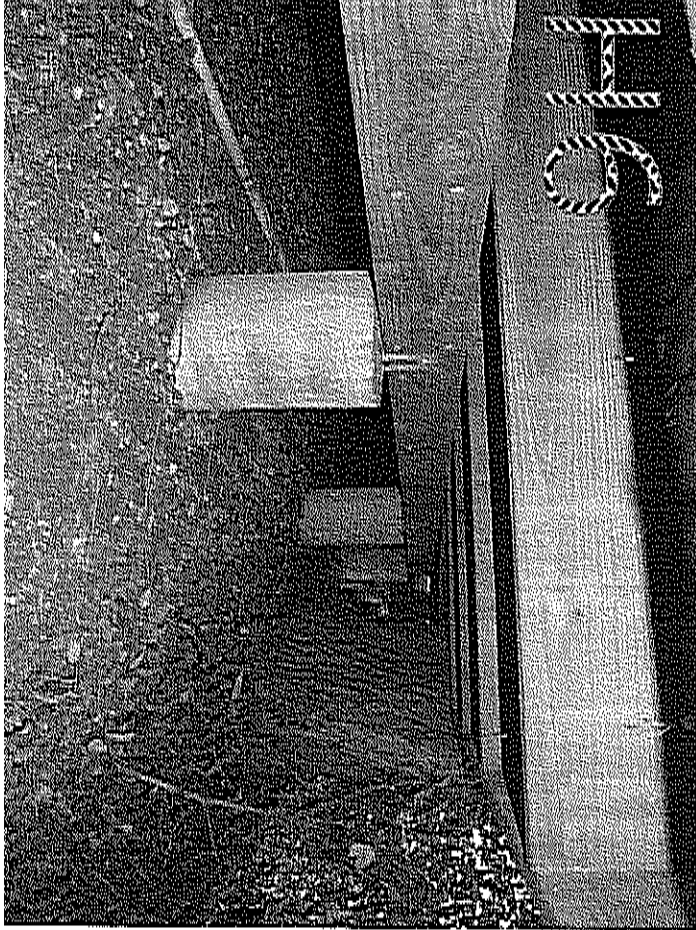
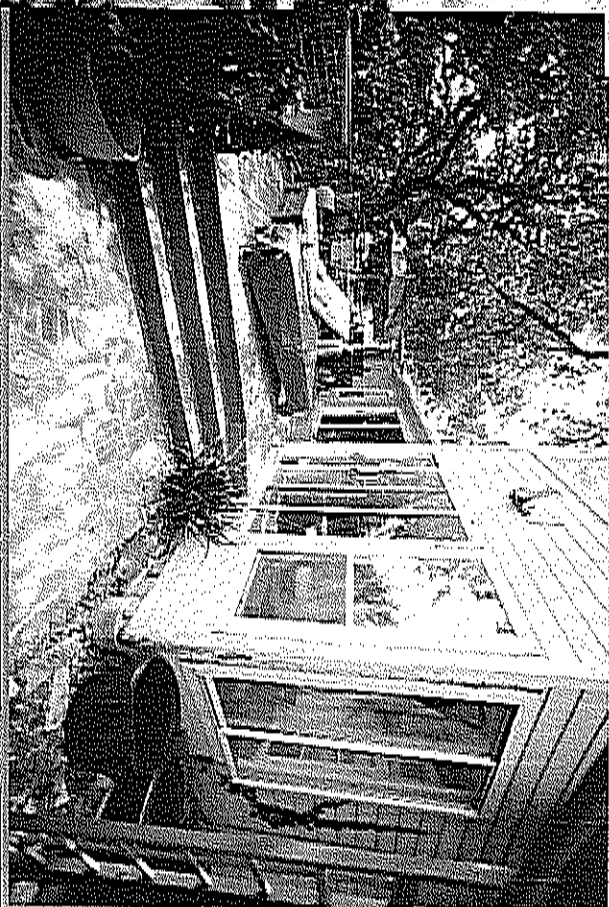
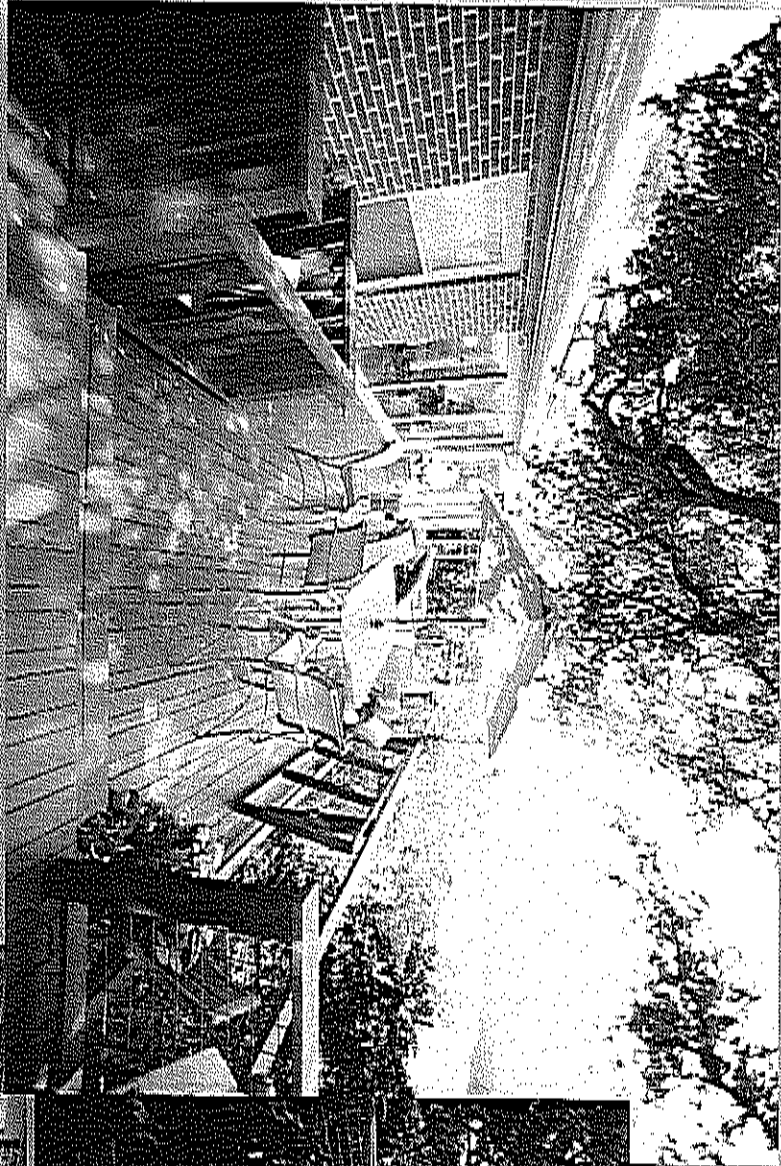


H5

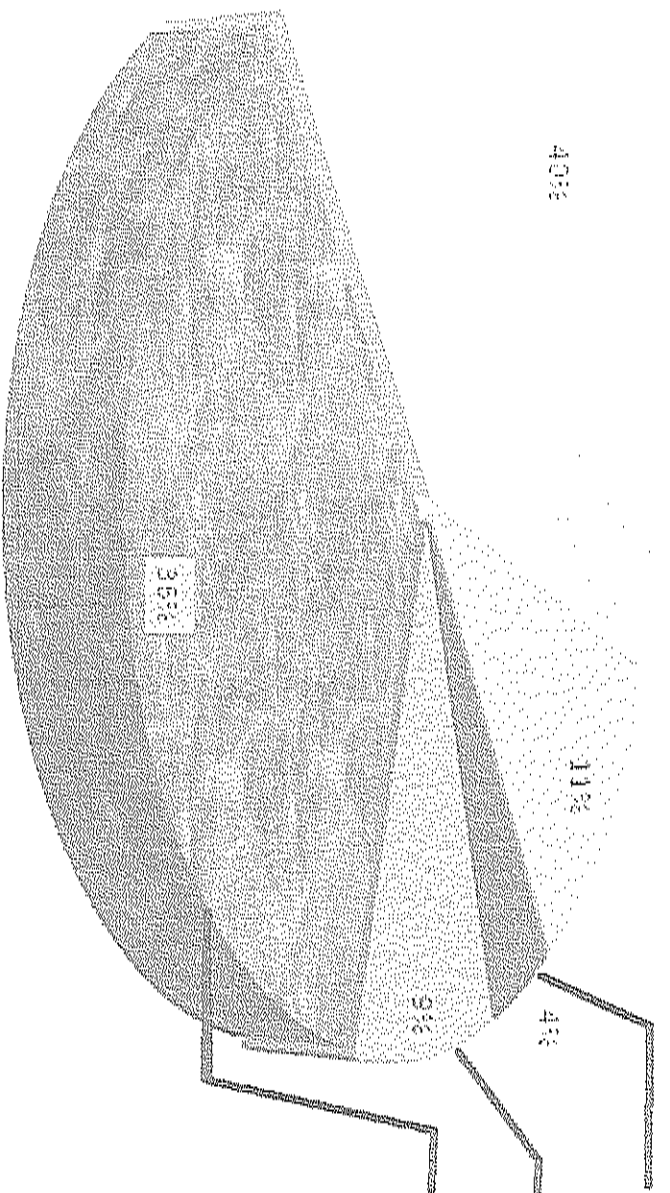


H5

DECK



TRAVIS HEIGHTS LOT SIZES



- 6,975 sq.ft = Lot size needed to allow proposed 2,790 sq.ft. house and achieve 40% FAR.
- 51% = Percent of lots in Travis Heights larger than 6,975 sq.ft.
- 8,500 sq.ft. ± Average lot size in Travis Heights; 40% of that = 3,400 sq.ft.

FAR Calculation Nearby Lots

TCAD Information

EDGECLIFF ADDRESS	LOT	SQ. FT	FAR	HOUSE sq. ft. minus 812	Lot sq. ft. minus 812
800	24,028	3,613	15.0%	519	18,347
804	14,410	2,079	14.4%	-715	3,266
808	3,620	1,836	50.7%	-938	-2,051
812 as Built	5,681	2,509	44.2%	-255	0
812 as Proposed	5,681	2,794	49.2%	0	0
809	12,085	3,066	25.4%	272	6,404
807	9,032	3,360	37.2%	566	3,351
1000 Alta Vista	6,720	2,655	42.0%	95	1,035
1000 Alta Vista	6,720	3,374	50.2%	530	1,035
901	9,969	4,523	45.4%	2,025	4,255
902	9,969	5,223	52.4%	2,425	4,255
903	11,336	4,082	36.0%	1,255	5,055
505	9,099	1,545	17.0%	-1,245	3,415
AVERAGE	11,144	3,131		337	5,463

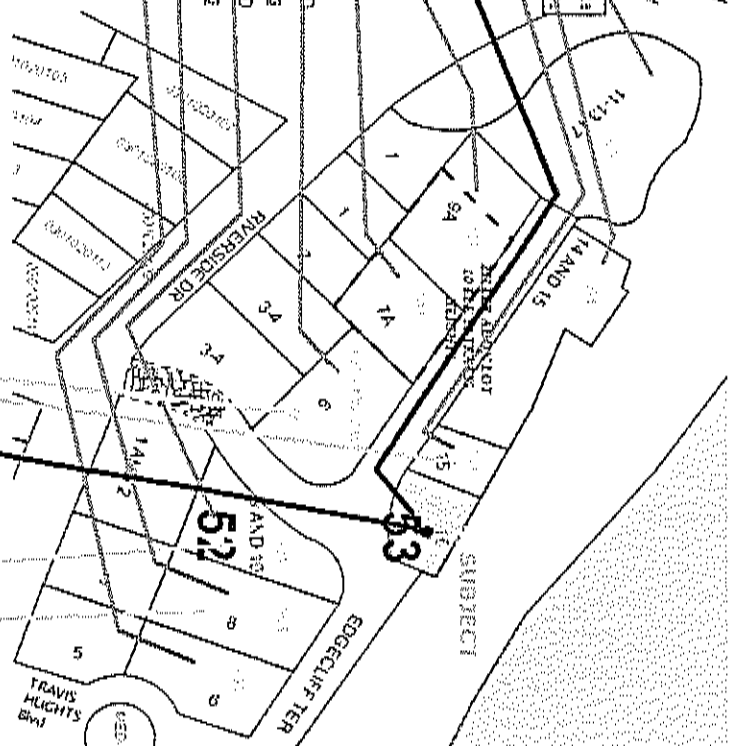
four closest houses

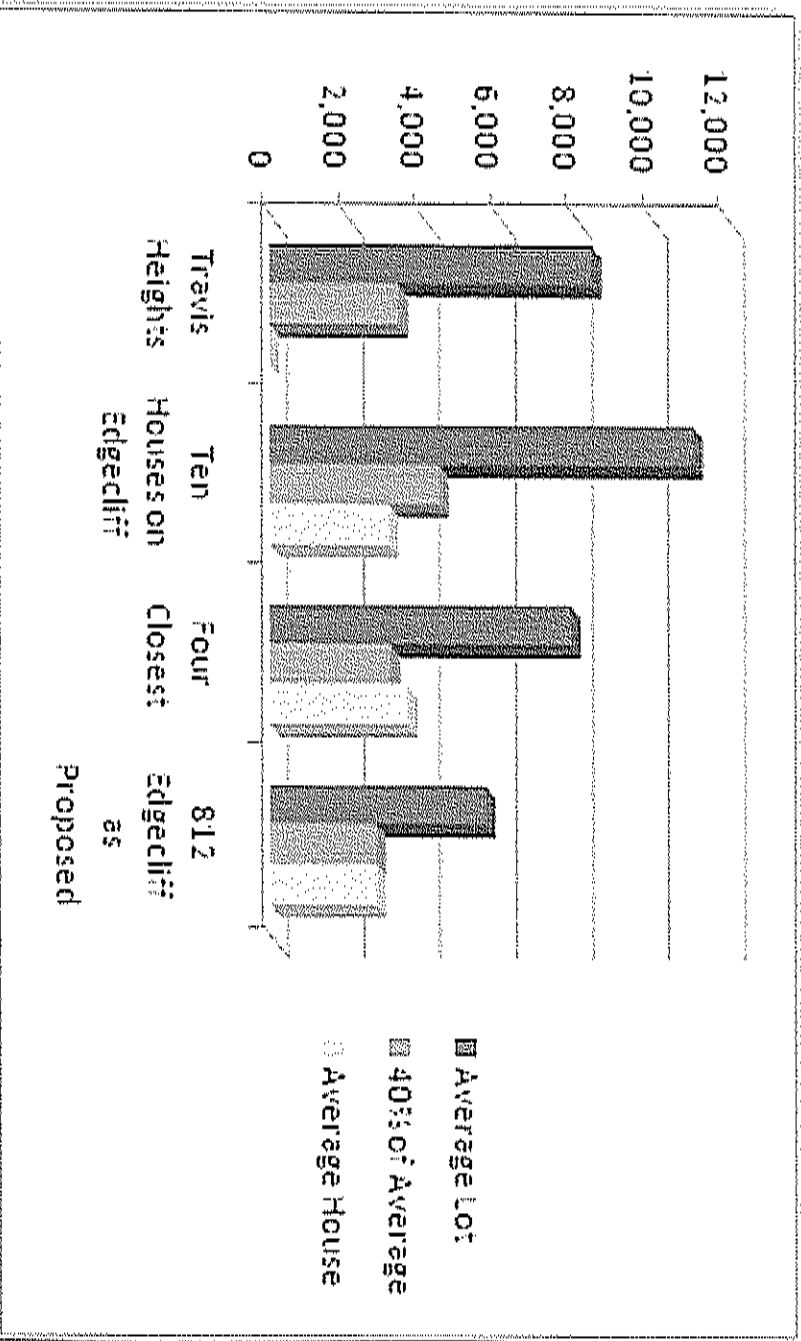
FAR Calculation Closest Four Houses

812 Edgecliff

EDGECLIFF ADDRESS	LOT	SQ. FT	FAR	Alternate Data Source
808	3,620	1,836	50.7%	TCAD
Subject	812	5,681	2,509	44.2%
812	5,681	2,794	49.2%	Subject as Proposed
1000 Alta Vista	6,720	2,889	43.0%	TCAD
1000 Alta Vista	6,720	3,374	50.2%	Zillow, used for AVG
901	9,969	4,823	48.4%	TCAD
902	9,969	5,223	52.4%	Zillow, used for AVG
903	11,336	4,082	36.0%	TCAD
AVERAGE of four	7,911	3,629		

49.2% PROPOSED 812 FAR
1,794 PROPOSED 812 FOOTAGE





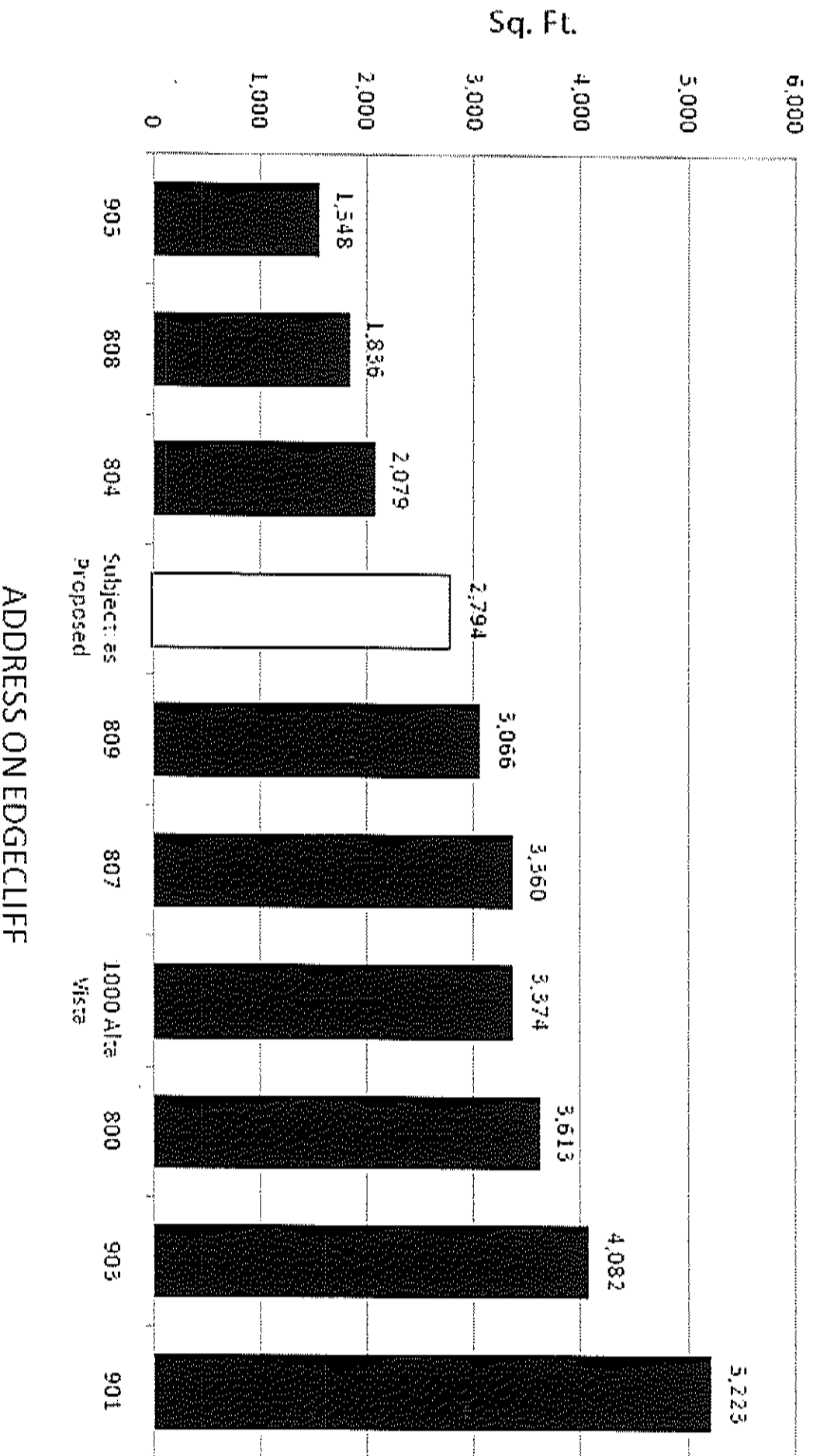
812 Edgecliff as Proposed Compared to:
 Development Allowed on Average Lot, and Average House

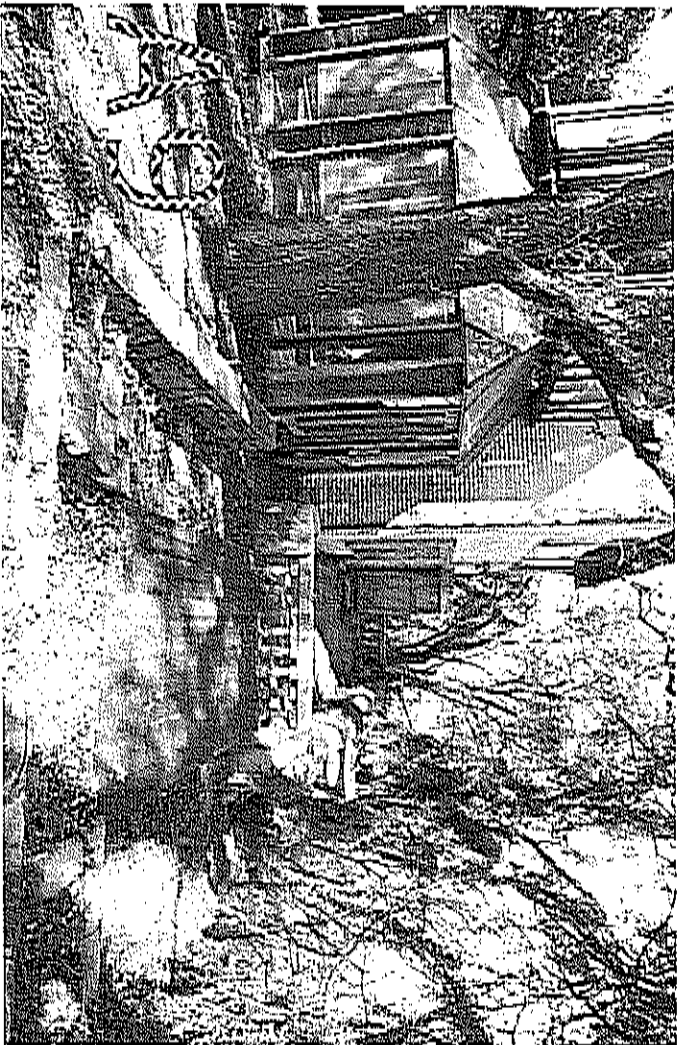
- 1.) in Travis Heights
- 2.) on Edgecliff, and
- 3.) Four Closest Houses

	± Average Lot Sq.Ft	40% of Avg. Lot Size	Average allowed FAR Greater Than Proposed
Travis Heights	8,500	3,400	812
10 Houses on Edgecliff	11,144	4,458	606
4 Closest Houses	7,911	3,164	1,664
812 Edgecliff as Proposed	5,681	Proposed	370

Sq.Ft.
2,794

SIZE of HOUSES on EDGECLIFF



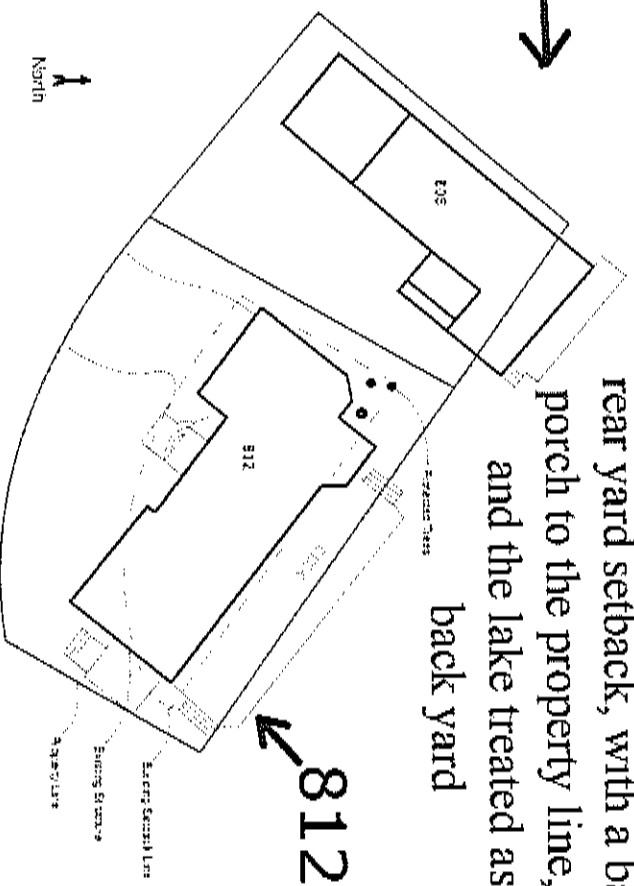
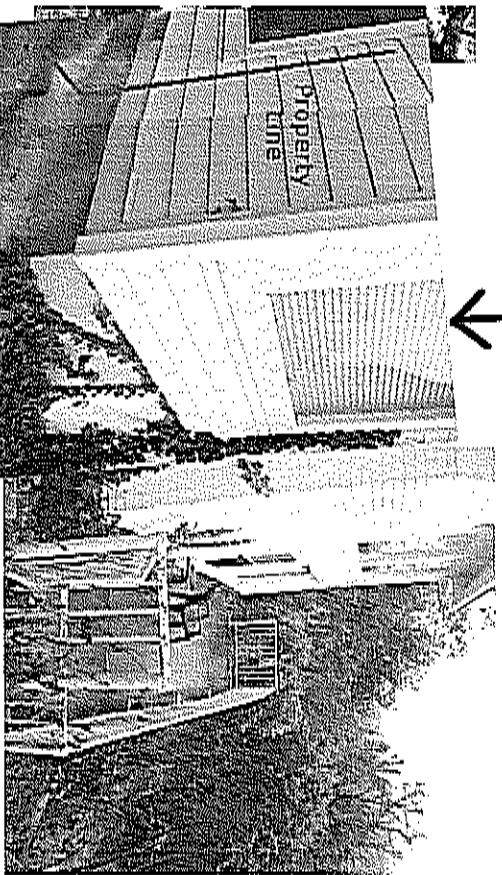
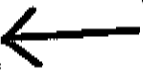


REAR YARDS: The three lots on the lake side of Edgecliff are all shallow. Probably planned,

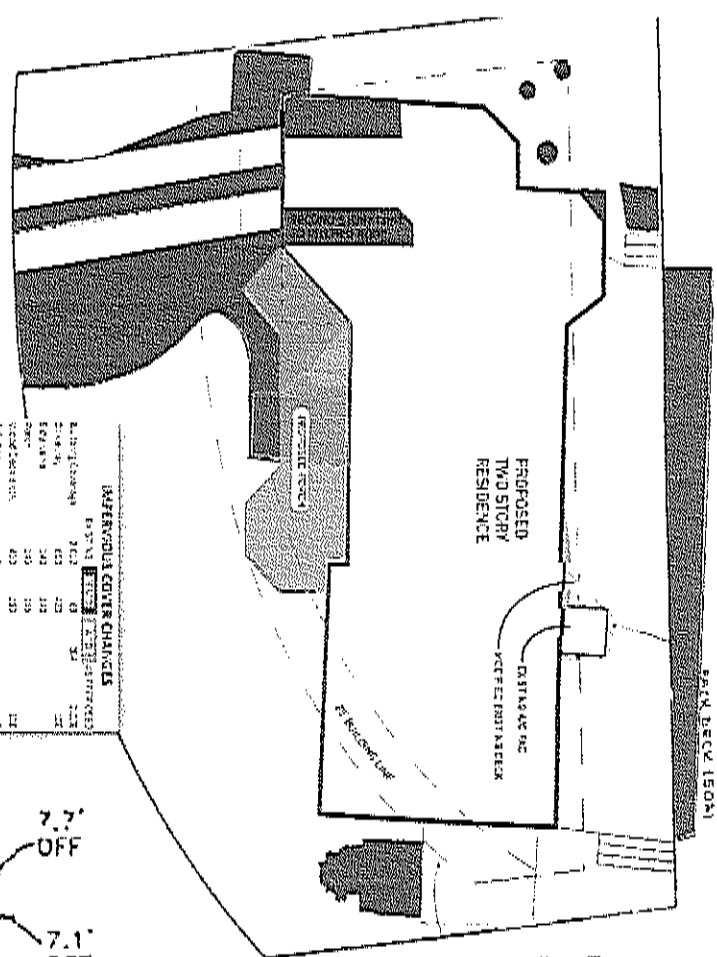
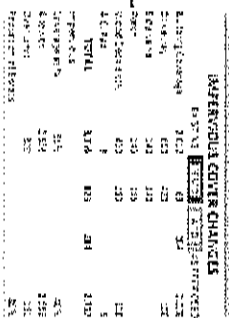
804 Edgecliff

808 Edgecliff

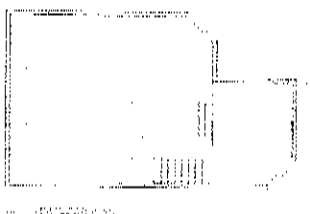
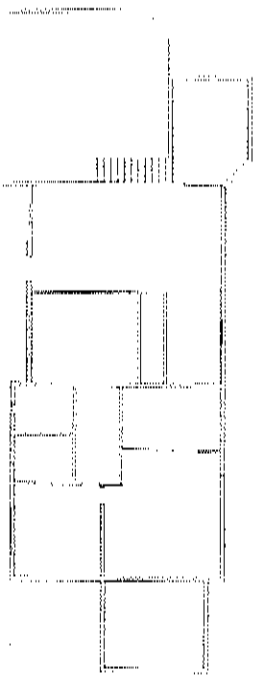
Rear



but clearly by practice, houses were built up to or into the rear yard setback, with a back porch to the property line, and the lake treated as back yard



DEMO
NEW

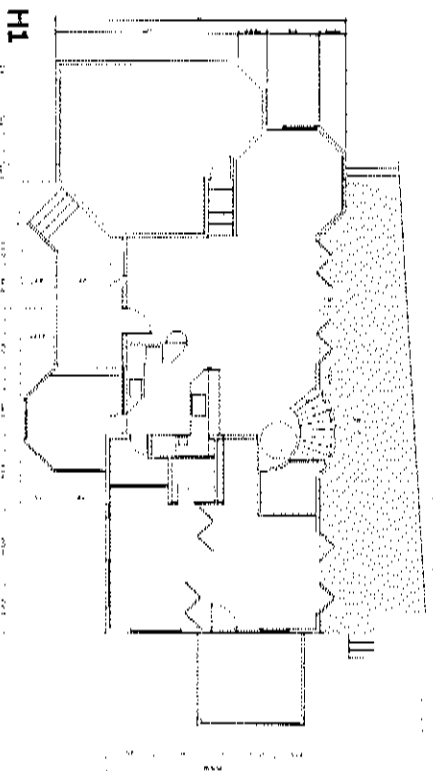
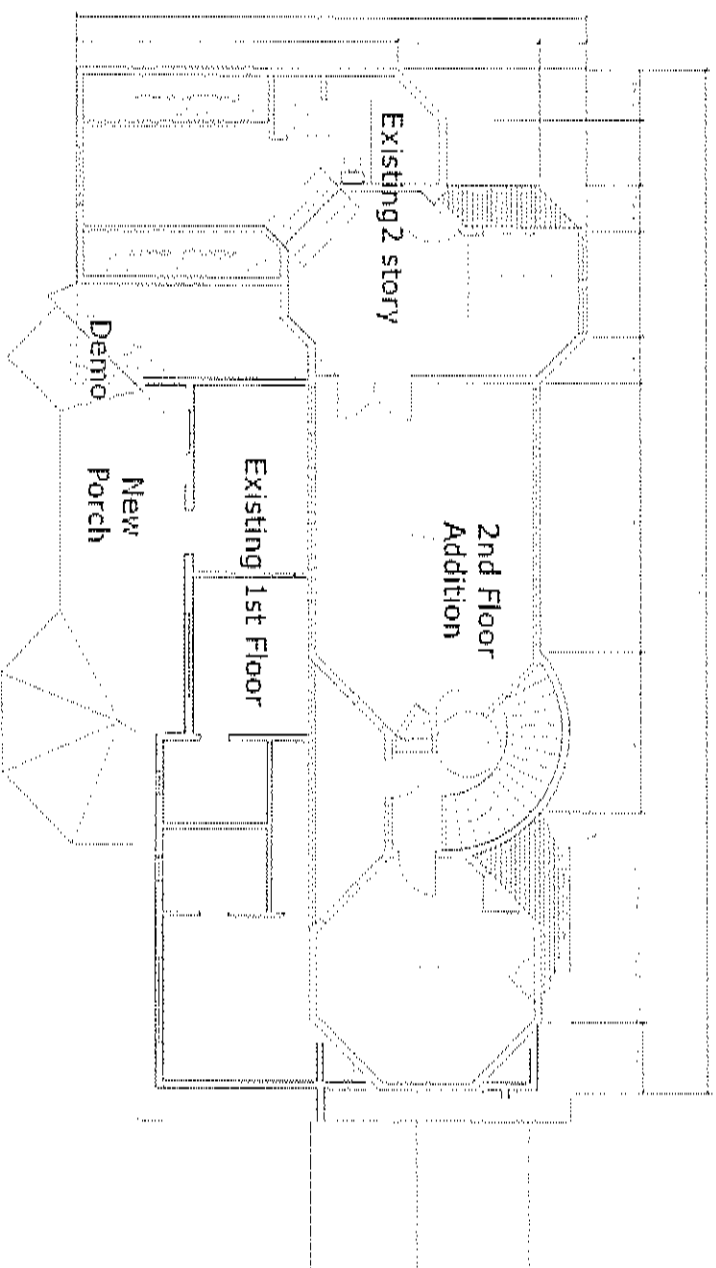


As built
2nd Floor

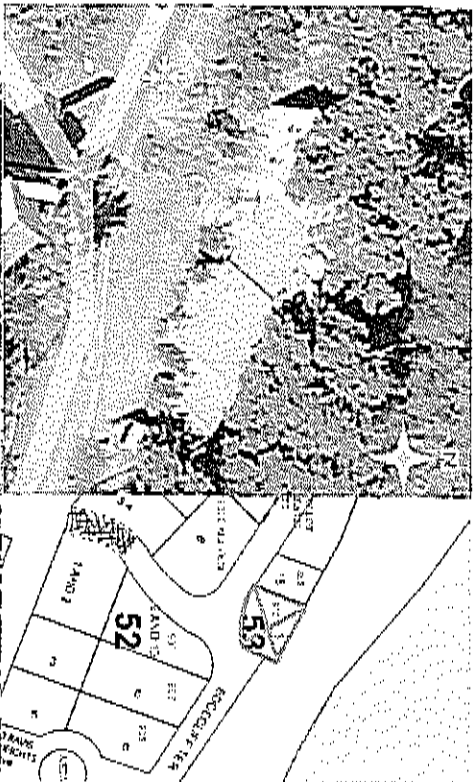
As built 1st Floor

Demo
Addition

Proposed
1st Floor

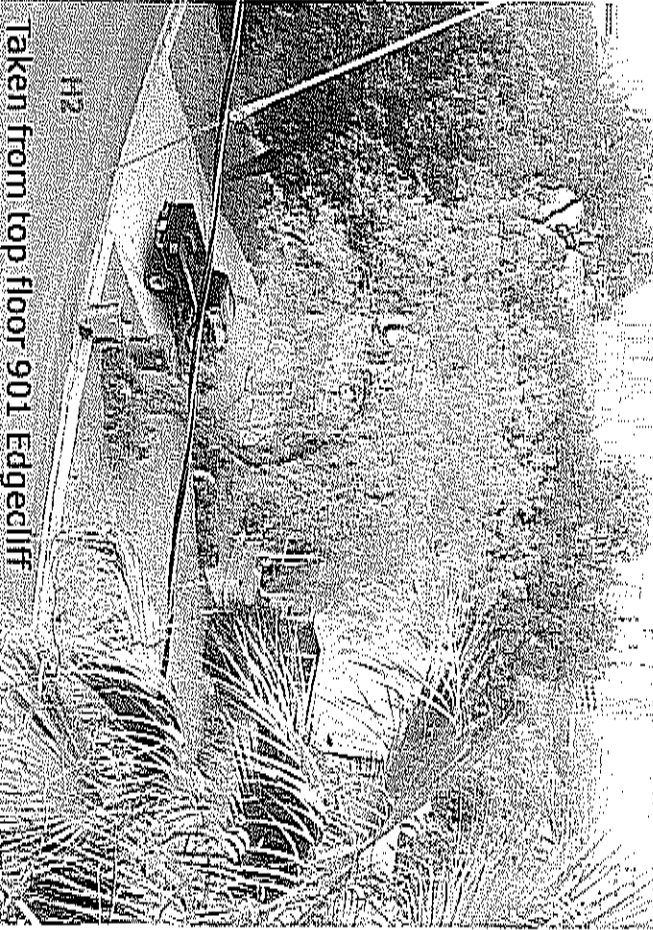
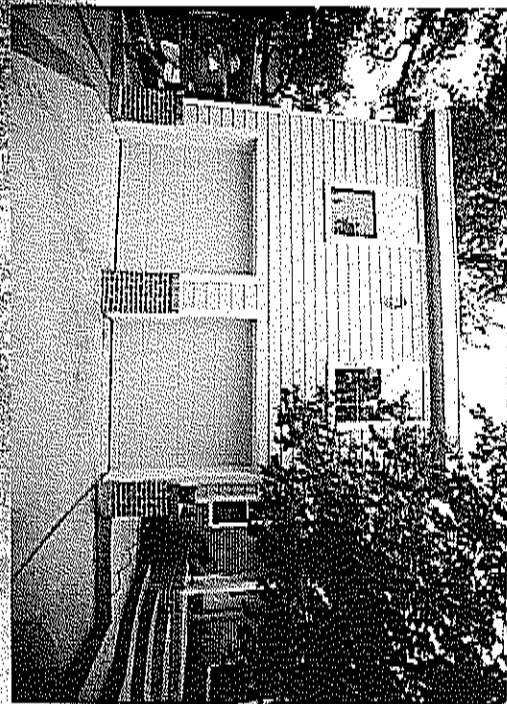


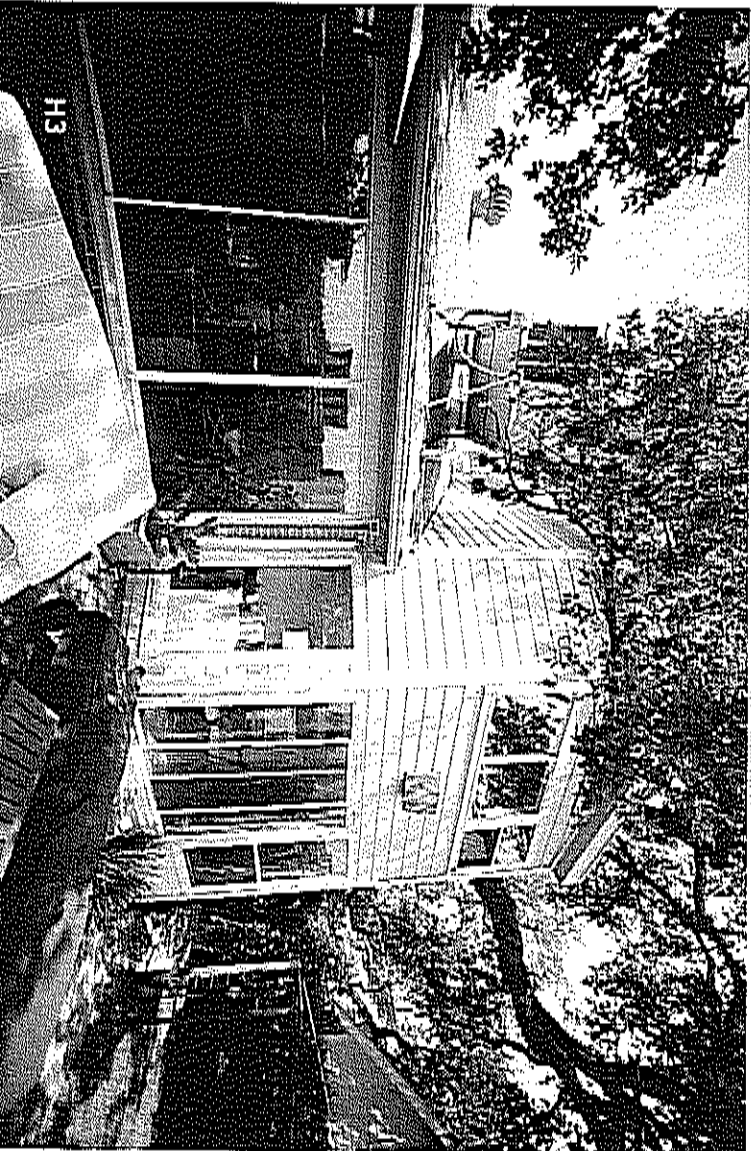
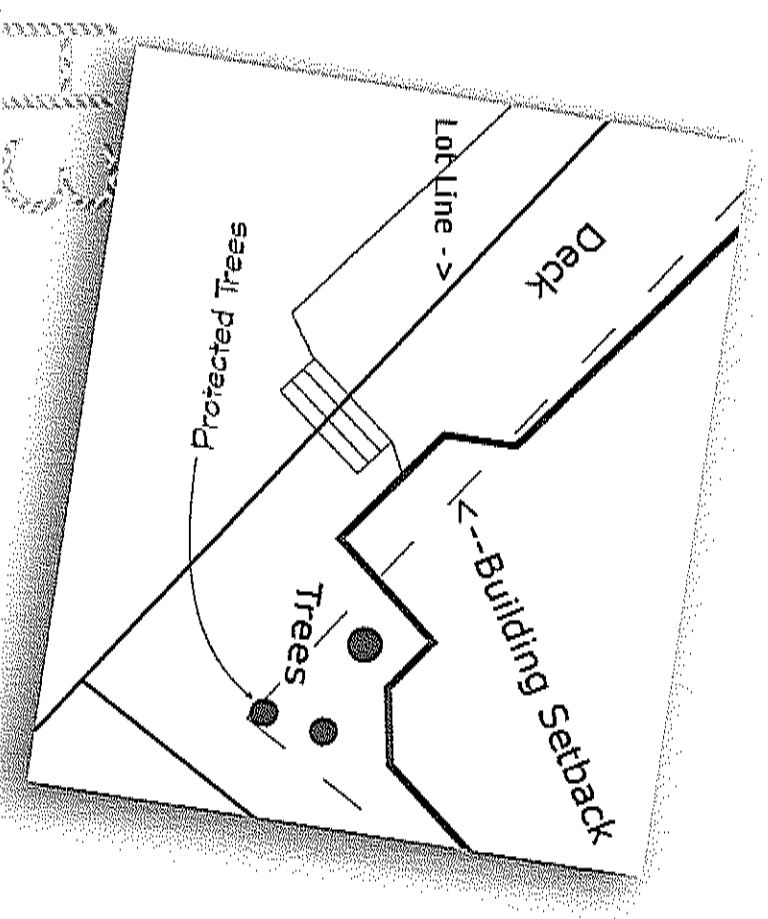
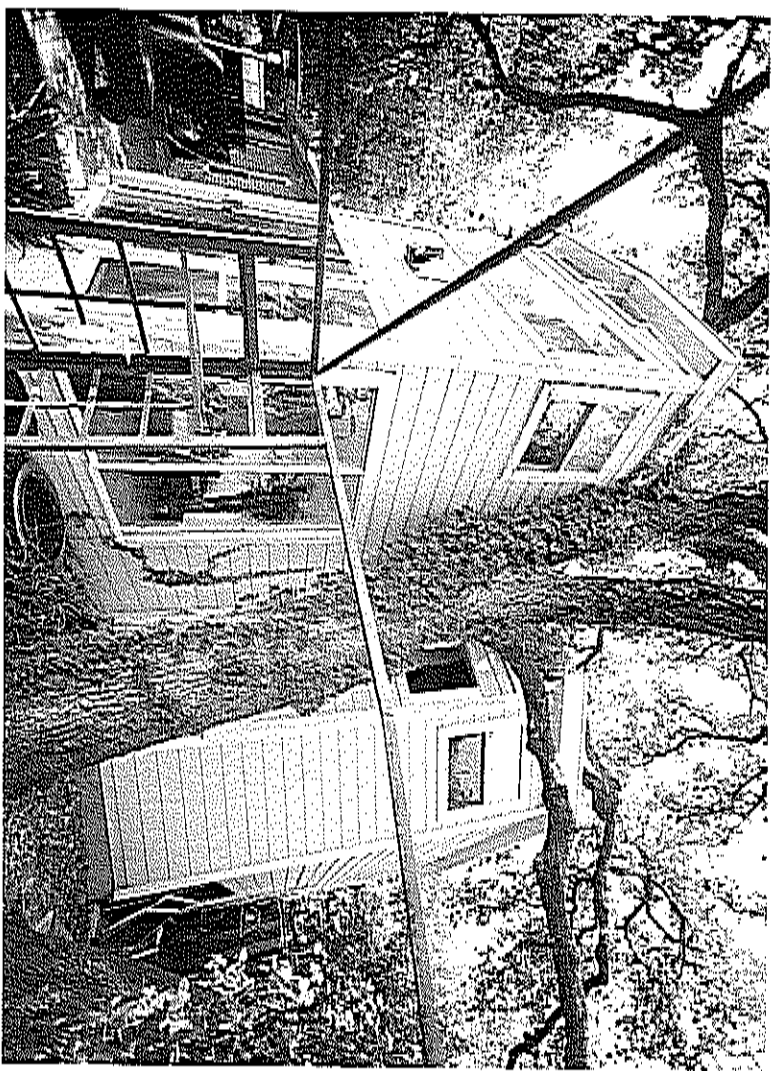
Proposed 2nd floor



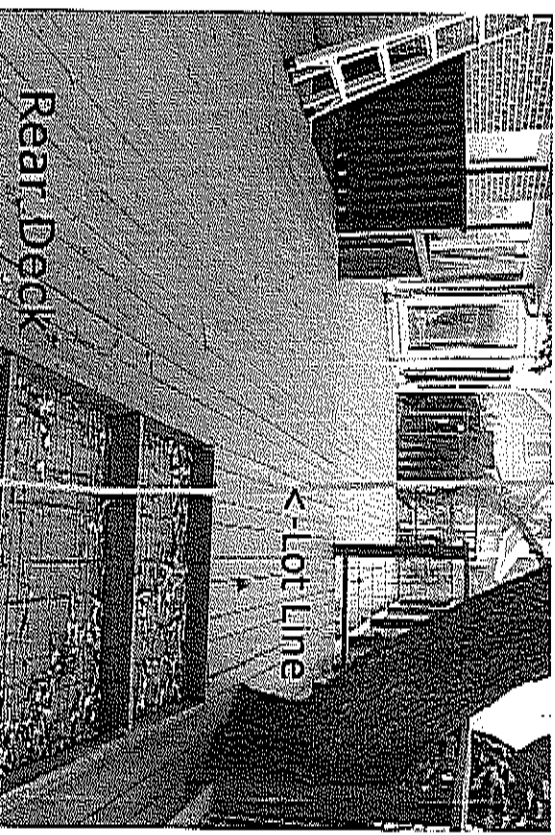
812 Edgecliff

Existing: LOT: 5,681; House: 2,509; FAR: 44%
 Proposed: House: 2,794; FAR: 49%

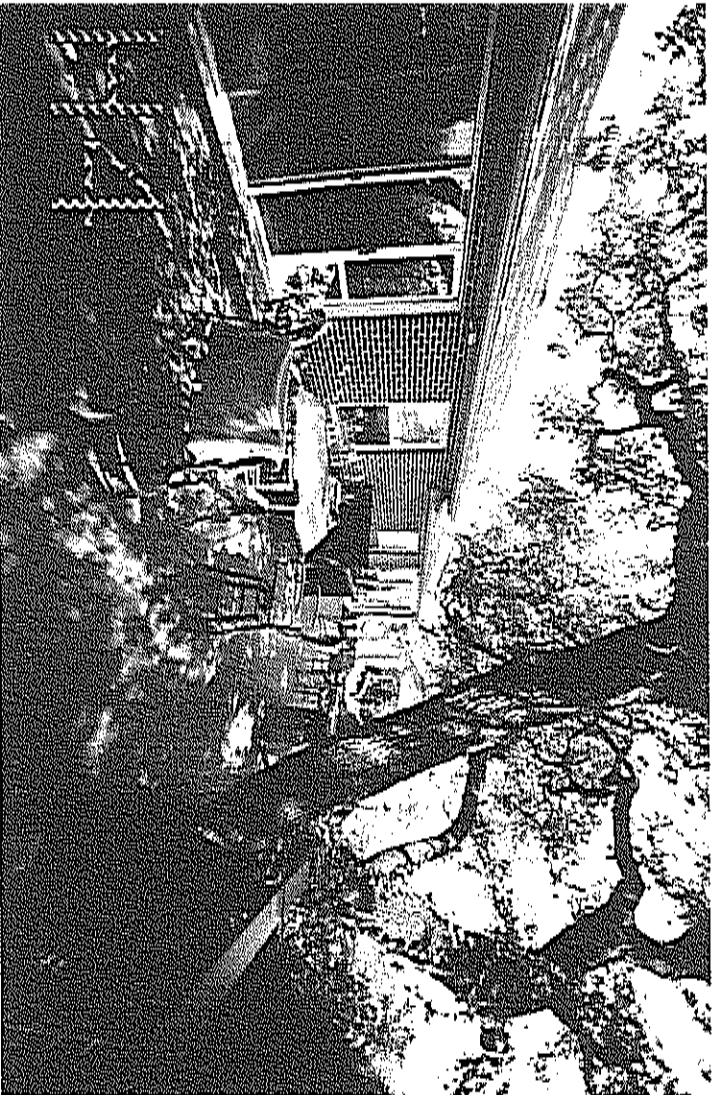




812 Edgecliff: Encroaching
Portion of House, 30" Live
Oak, and Deck

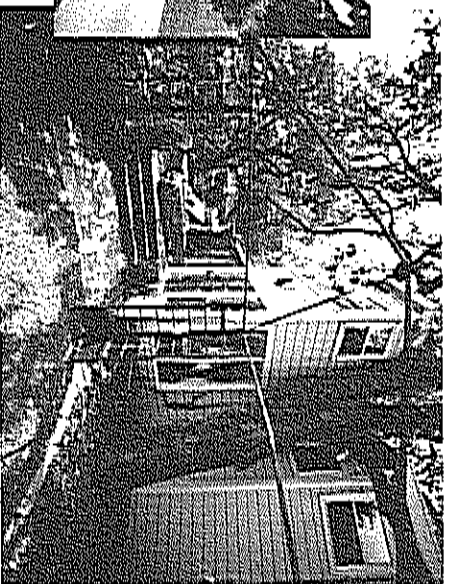


Rear Deck



812 Edgecliff

Rear Deck, Encroaching Nook,
and 30" Live Oak



Garage and Second Story

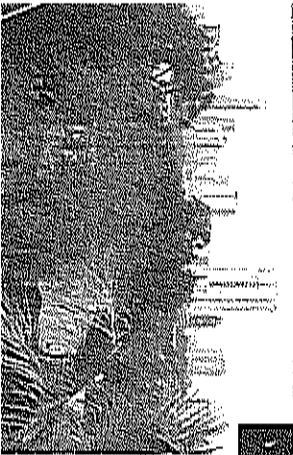
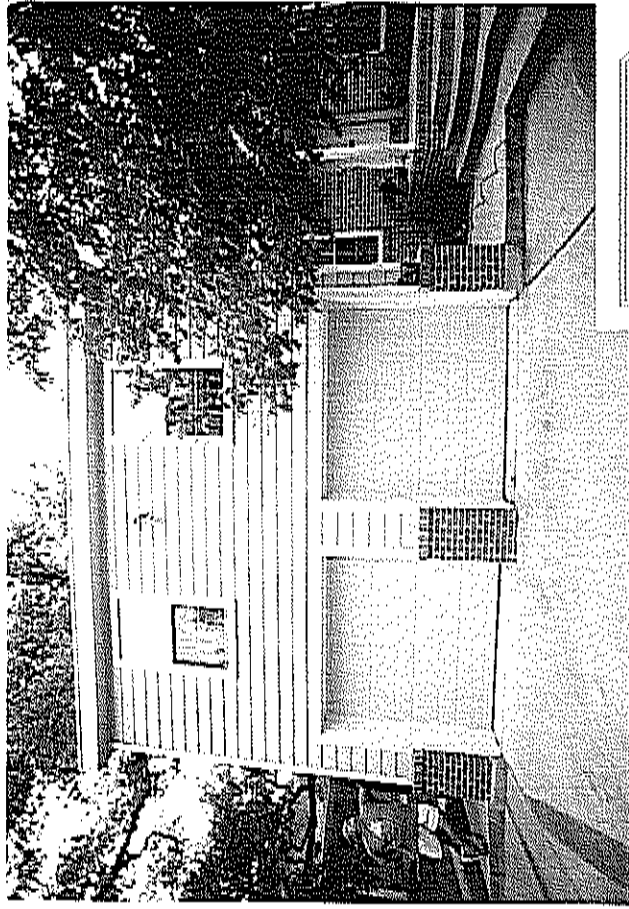


Photo Taken
From Top
Floor of
901 Edgecliff



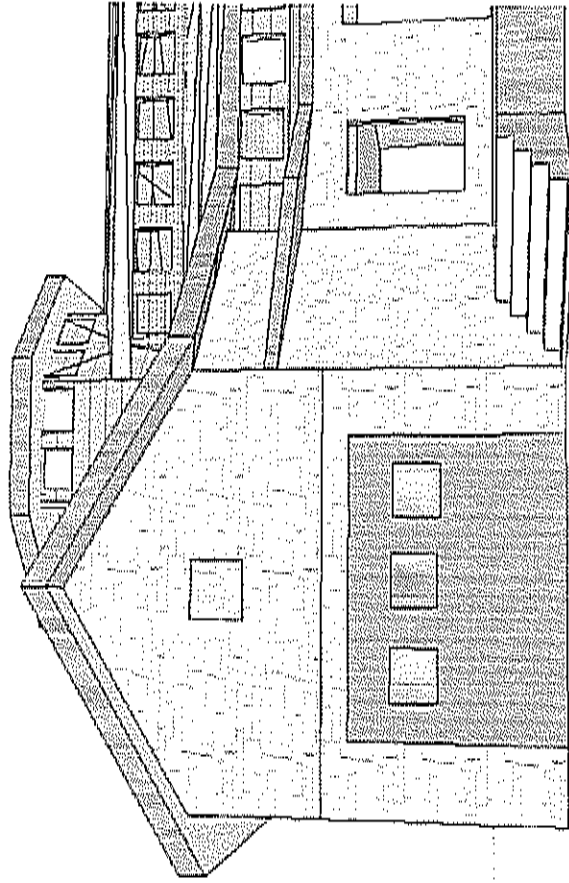
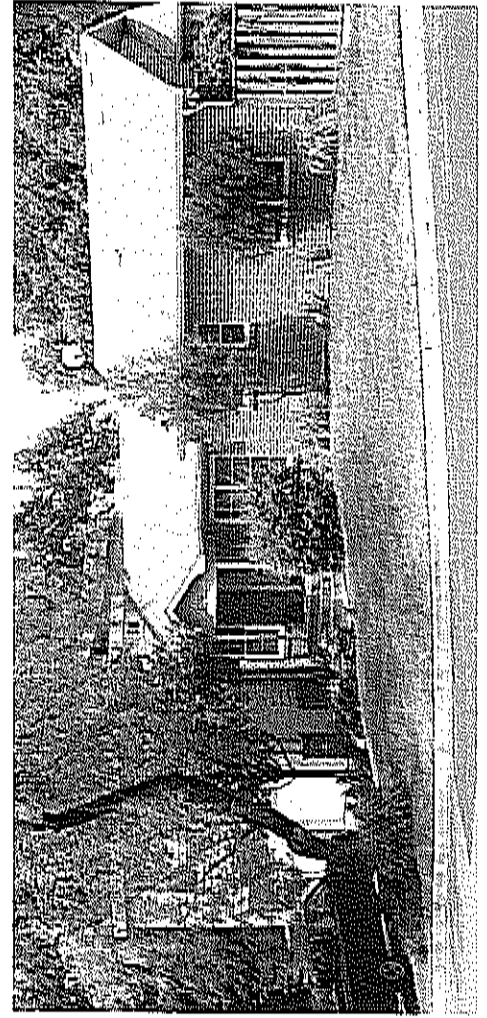
Some wide angle distortion

Rear Deck



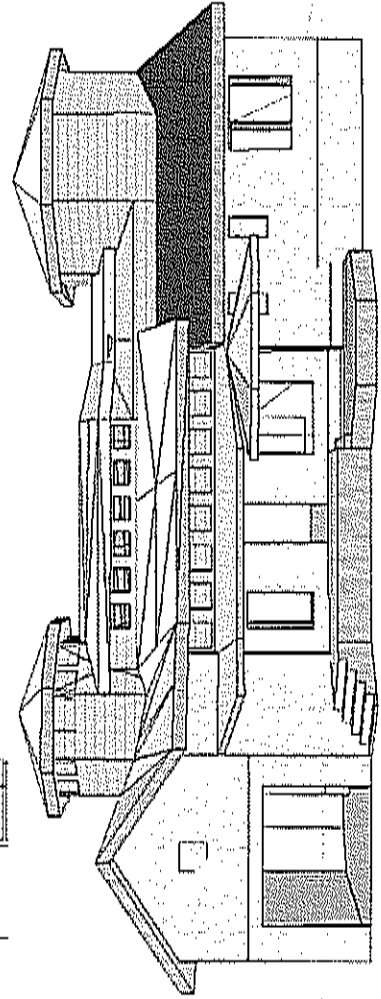
Existing
Garage

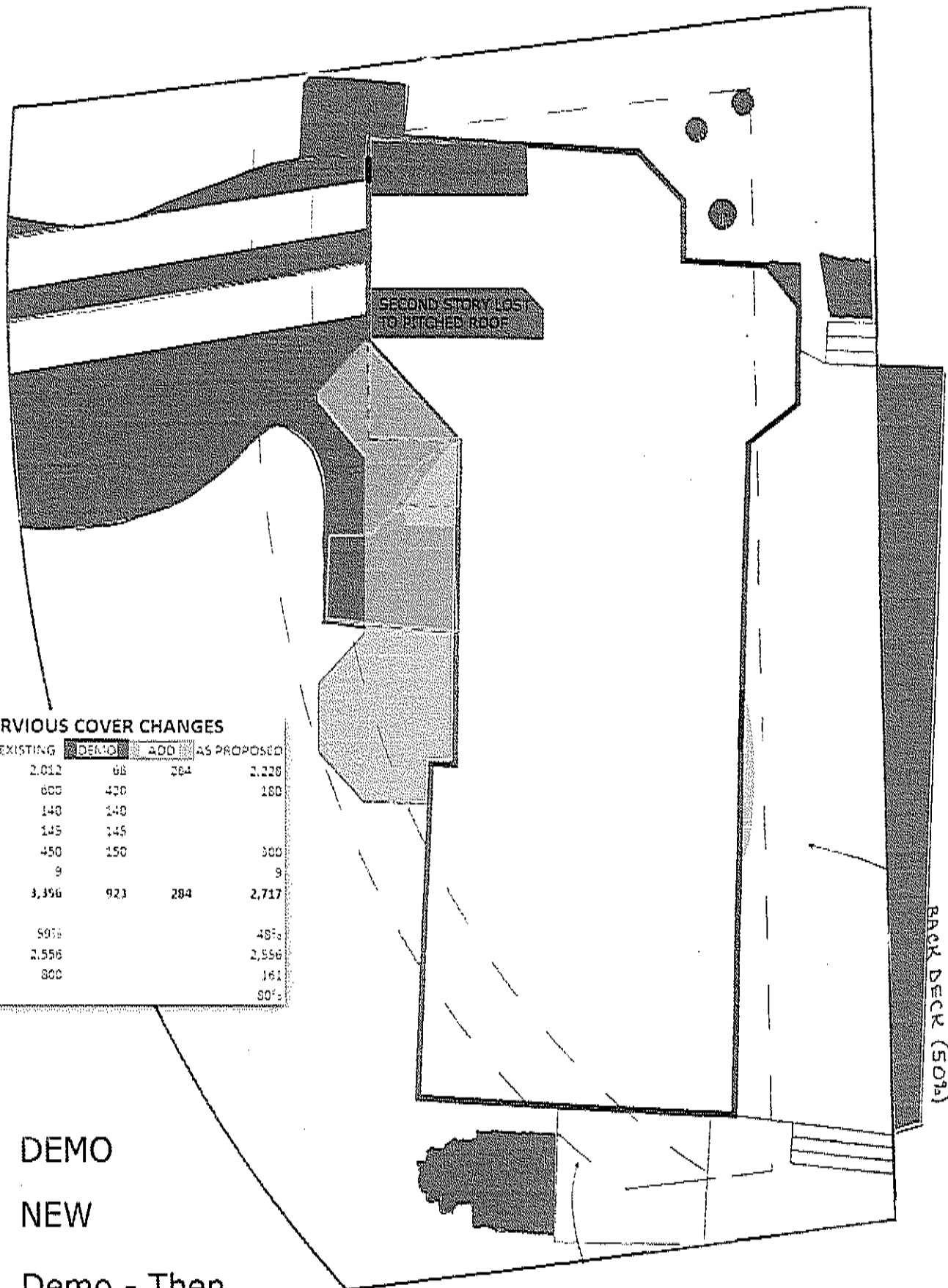
812 Edgecliff: Existing and Proposed Front



Proposed
Garage

H7





IMPERVIOUS COVER CHANGES

	EXISTING	DEMO	ADD	AS PROPOSED
Building Coverage	2,012	68	264	2,220
Driveway	600	420		180
Sidewalks	140	140		
Porch	145	145		
Wood Deck 2' x 2'	450	150		300
A.C. Pad	9			9
TOTAL	3,356	923	284	2,717
Impervious Coverage as %	59%			48%
Allowed	2,556			2,556
Over Limit	800			161
Reduction of Excess				60%

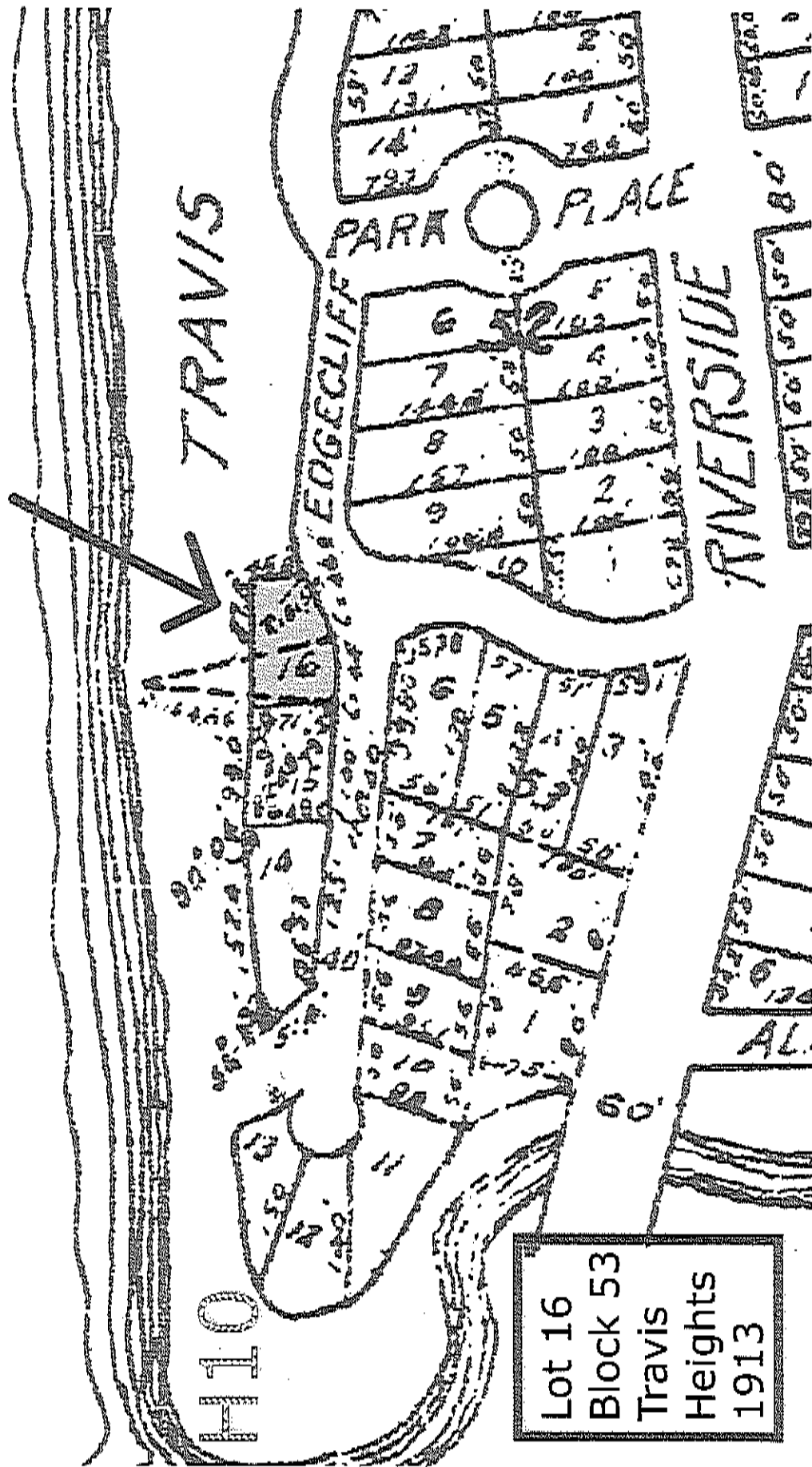
■ DEMO

■ NEW

■ Demo - Then
Covered by Porch

H9

H9



Existing and Proposed



③ ASHLEY WEST ELEVATION
2nd FLOOR



④ AS-BUILT EAST ELEVATION
FIG. 34.5

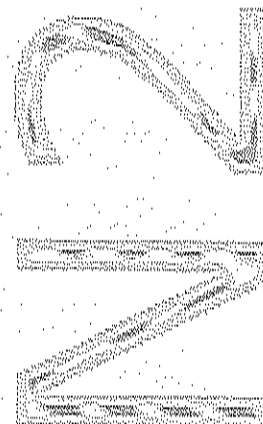


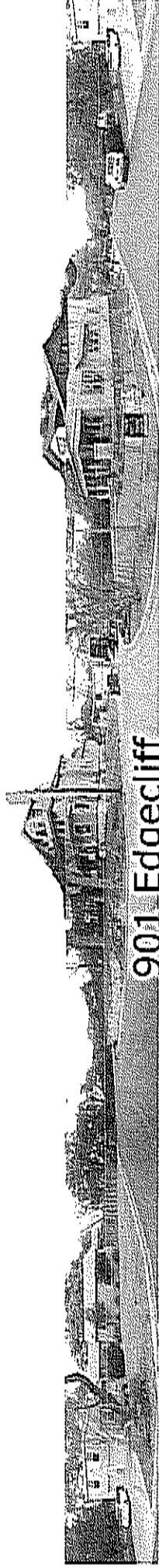
East and West Elevations	0303150
Scale 1:250,000	



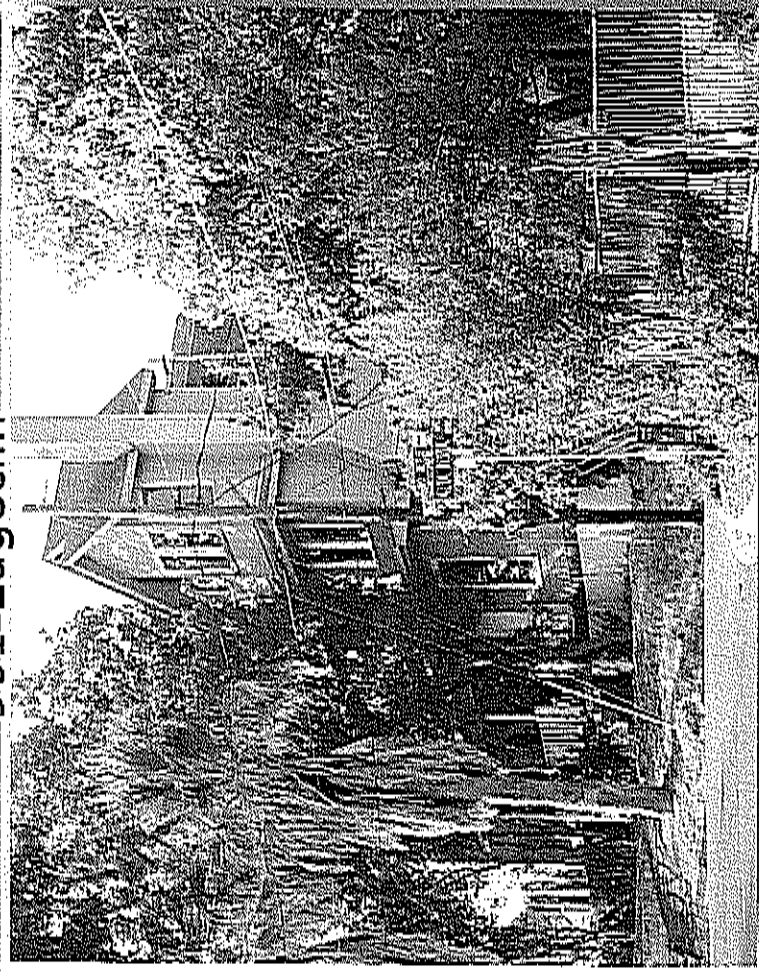
NI

IN





901 Edgecliff



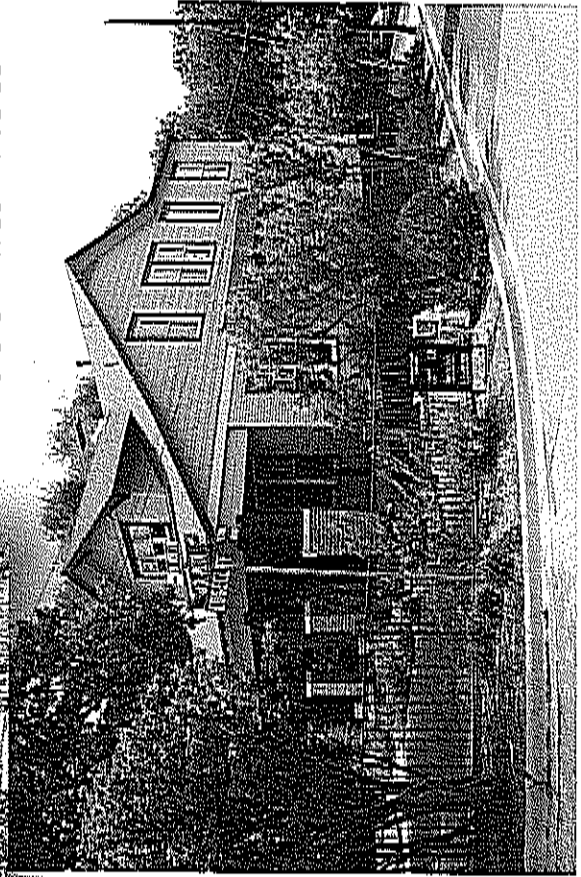
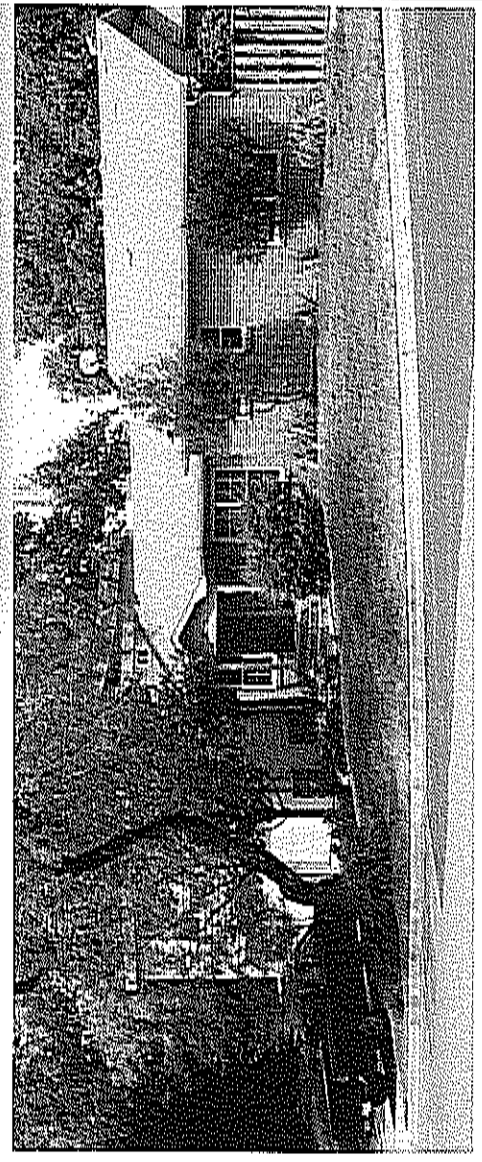
1000 Alta Vista

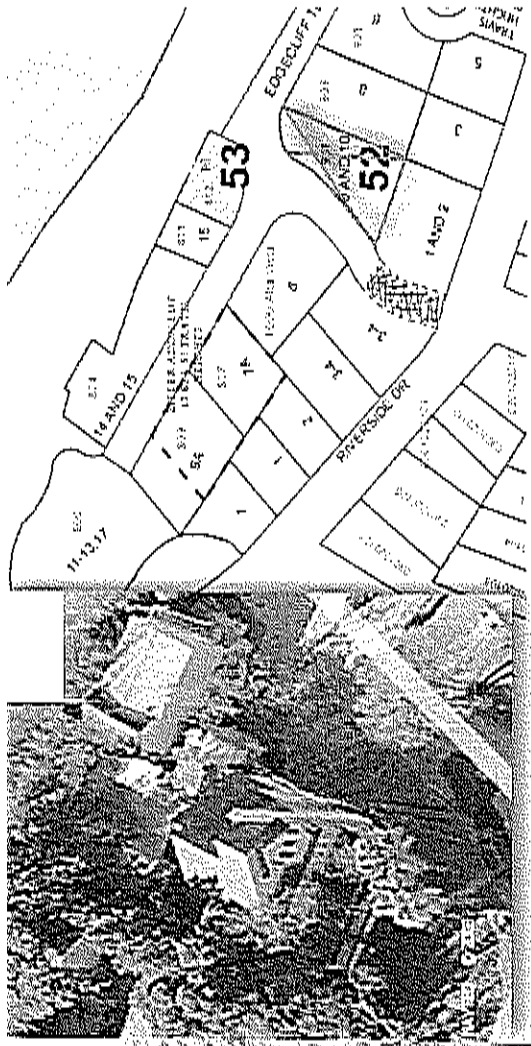
812 Edgecliff

23

1000 Alta Vista

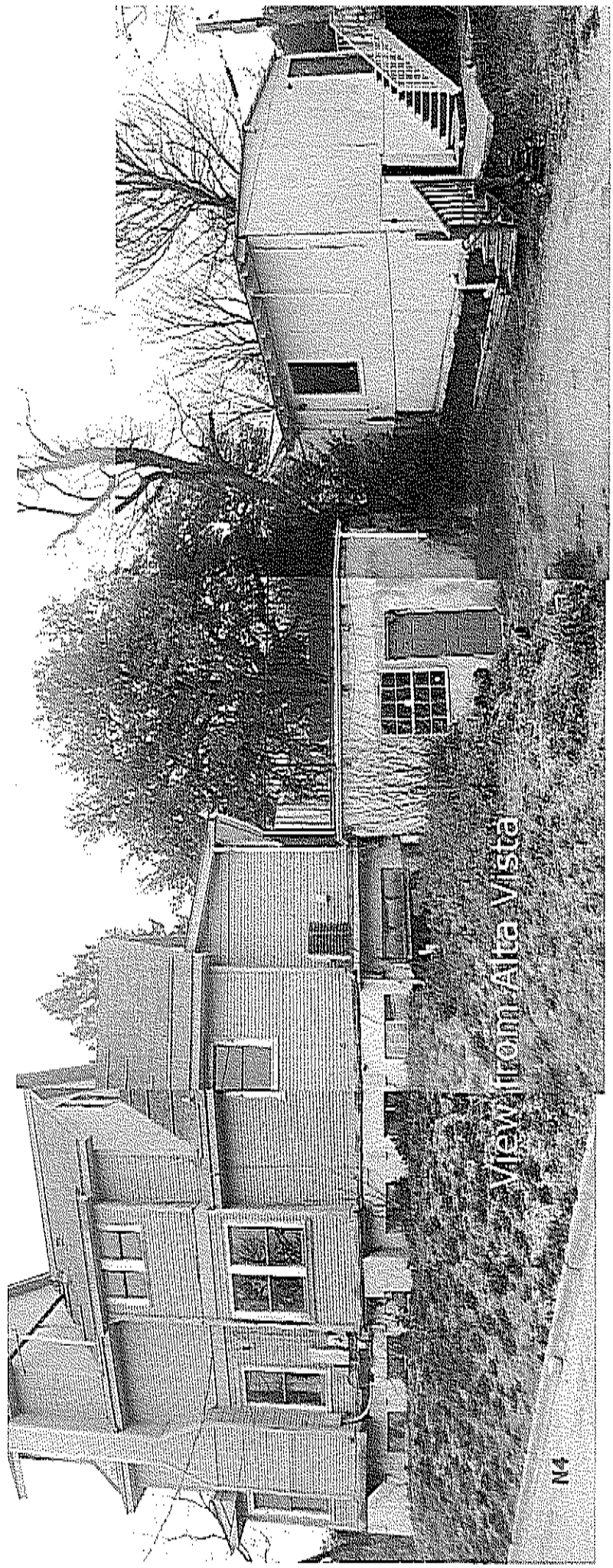
812 Edgecliff





901 Edgecliff

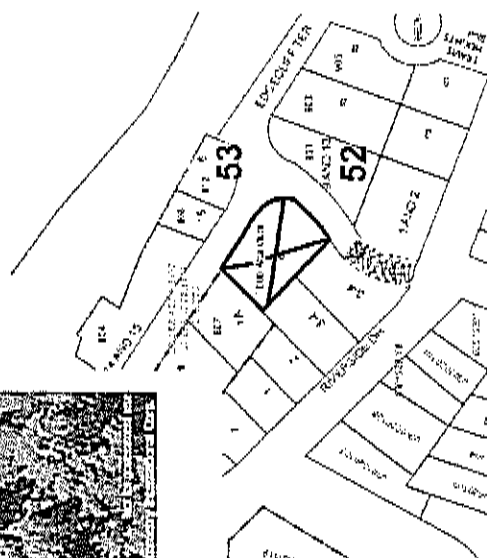
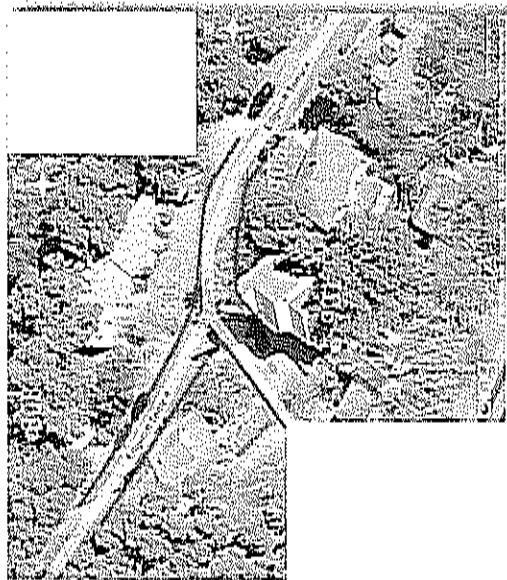
LOT: 9,969; House: 5,223; FAR: 52%



View from Alta Vista

1000 Alta Vista

LOT: 6,720; House: 3,374; FAR: 50%



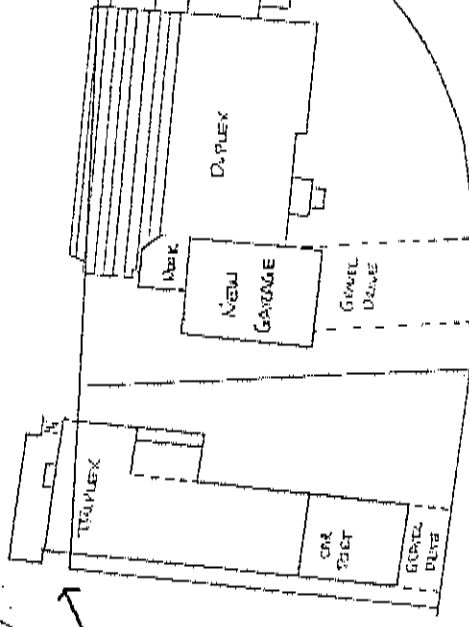
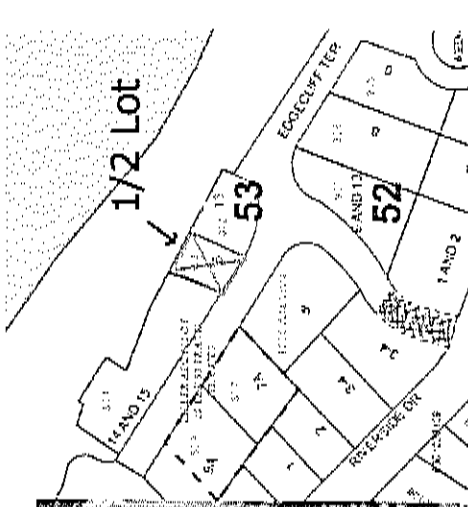
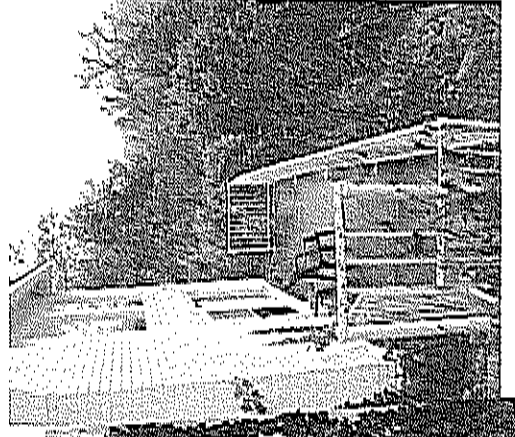
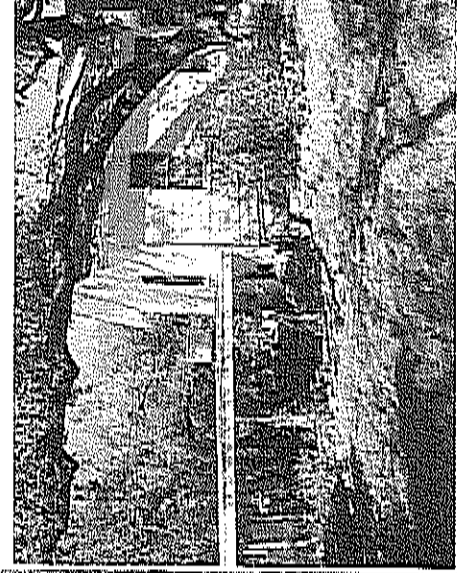
N5

N5



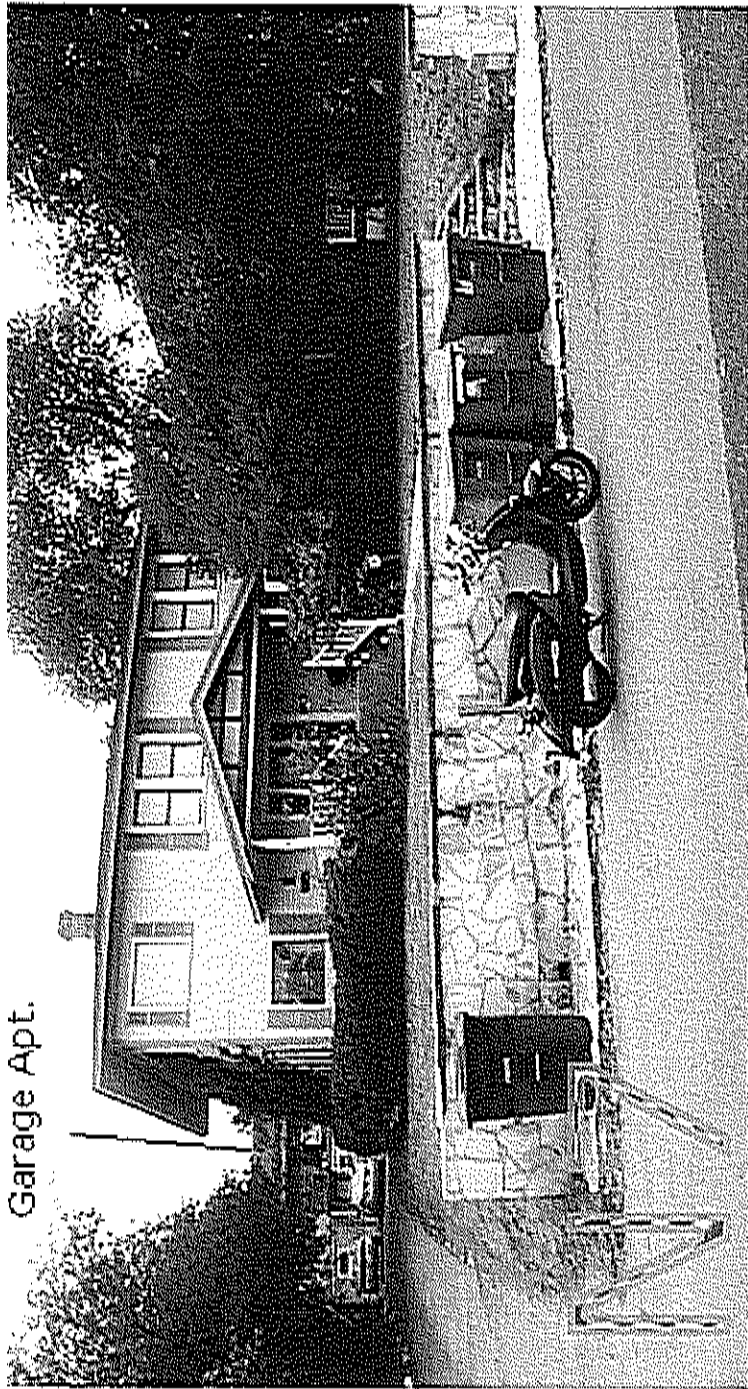
808 Edgecliff

LOT: 3,620; House: 1,836; FAR: 51%



House
Extends
Beyond
Lot Line

Garage Apt.

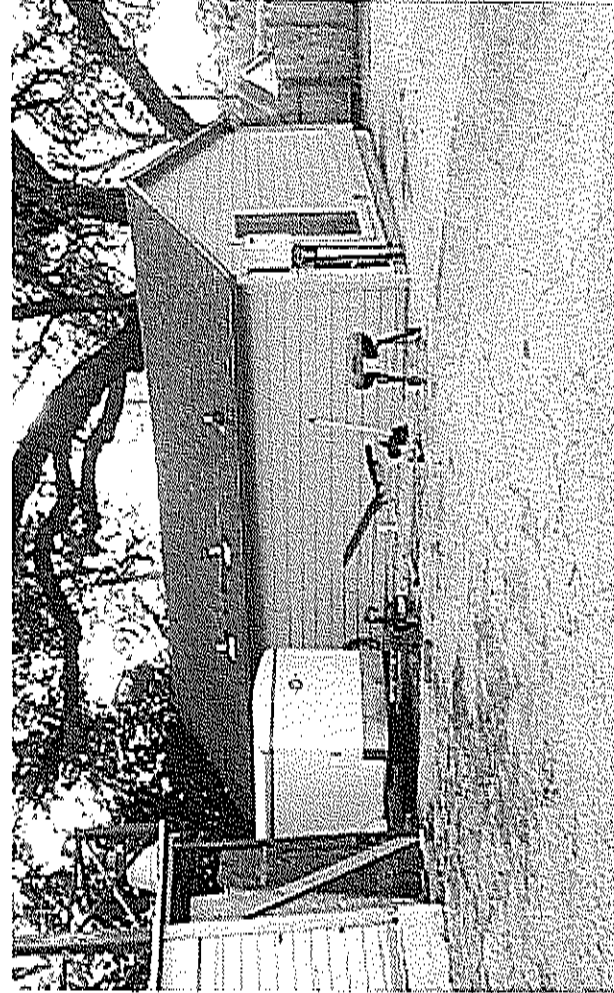


903 Edgecliff: Lot 11,336, House 4,082, FAR 36%

Garage Apartment

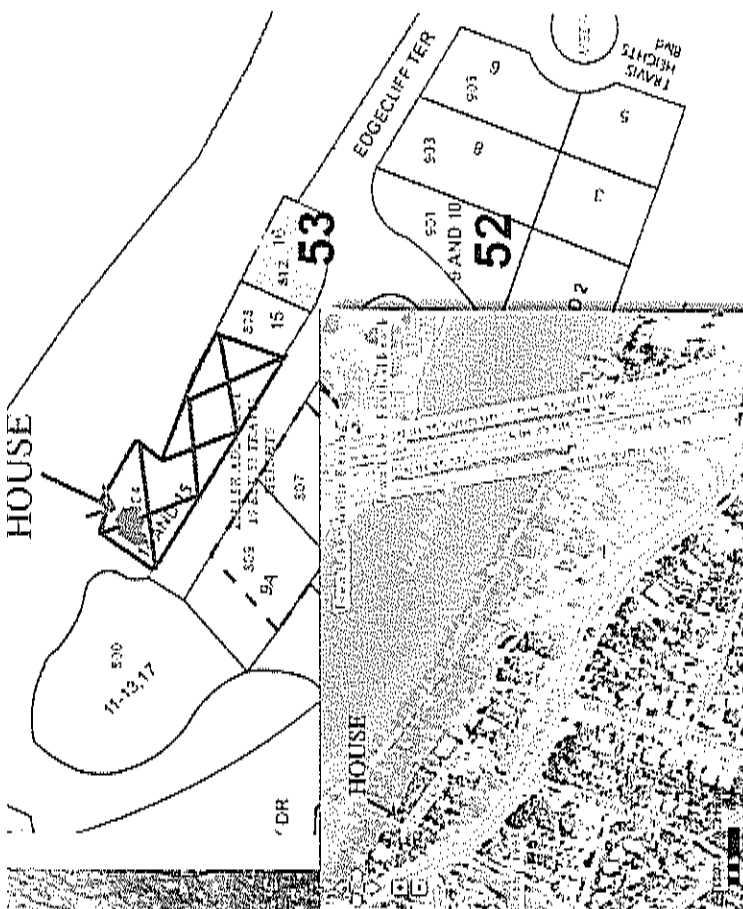
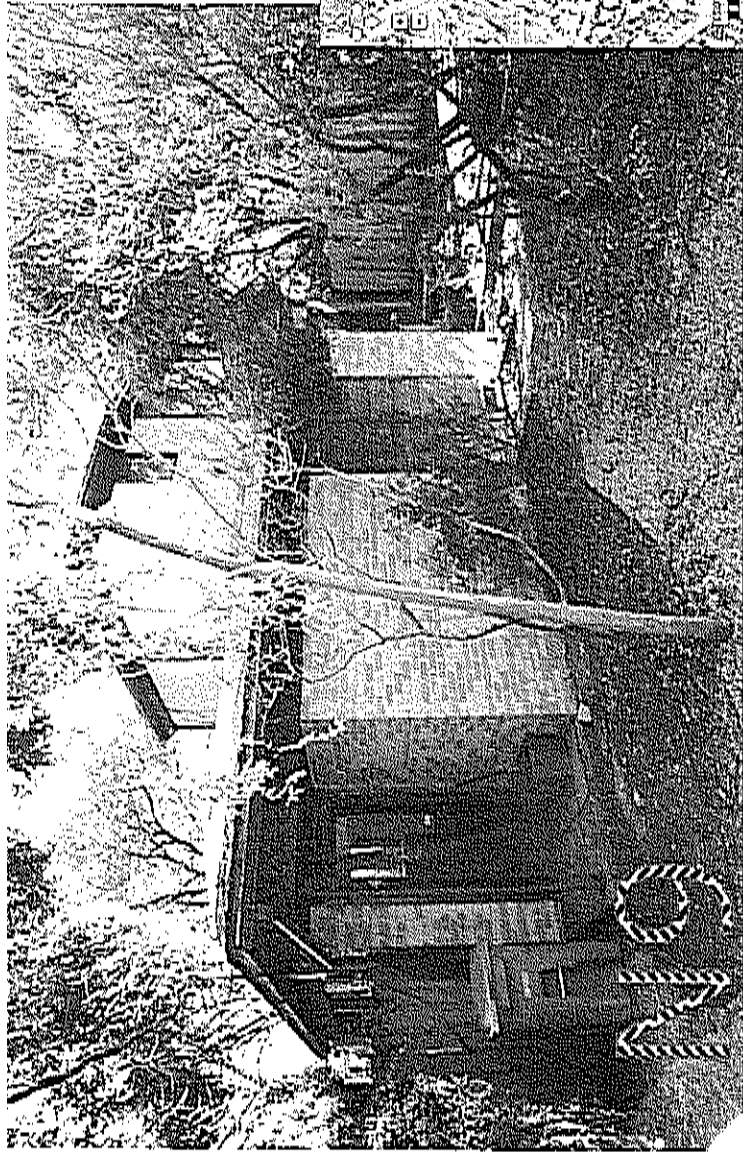


"Cottage"



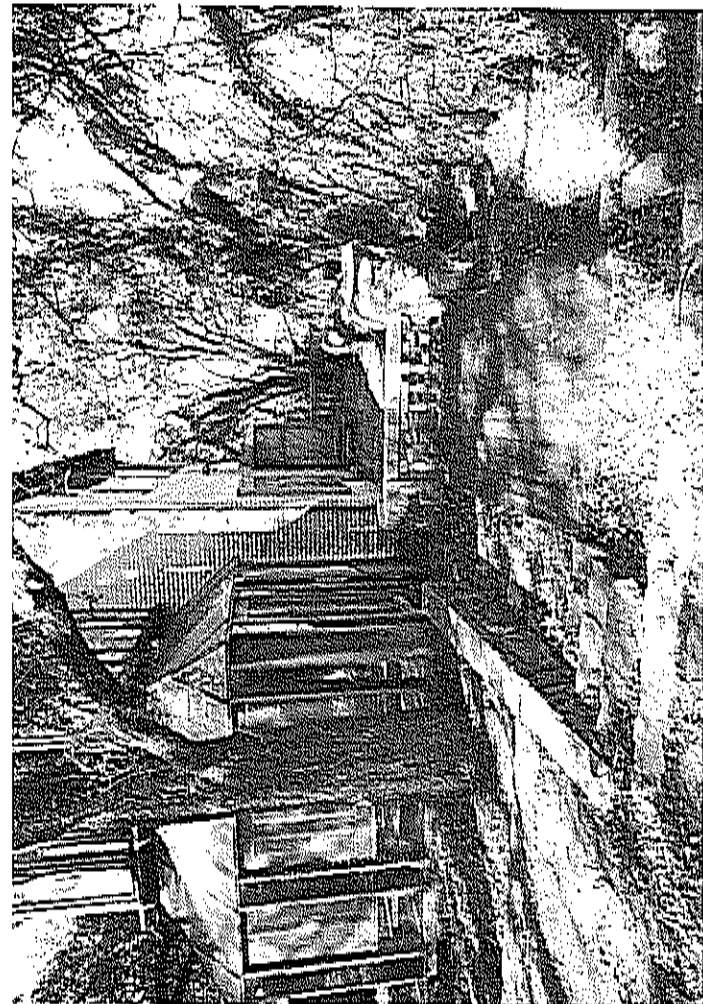
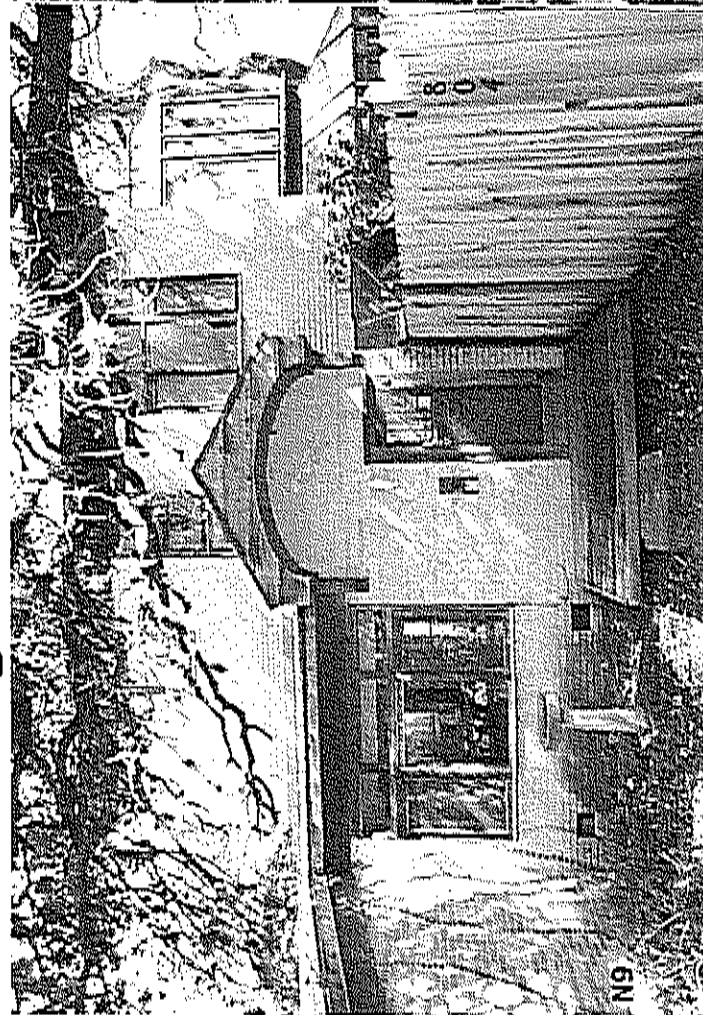


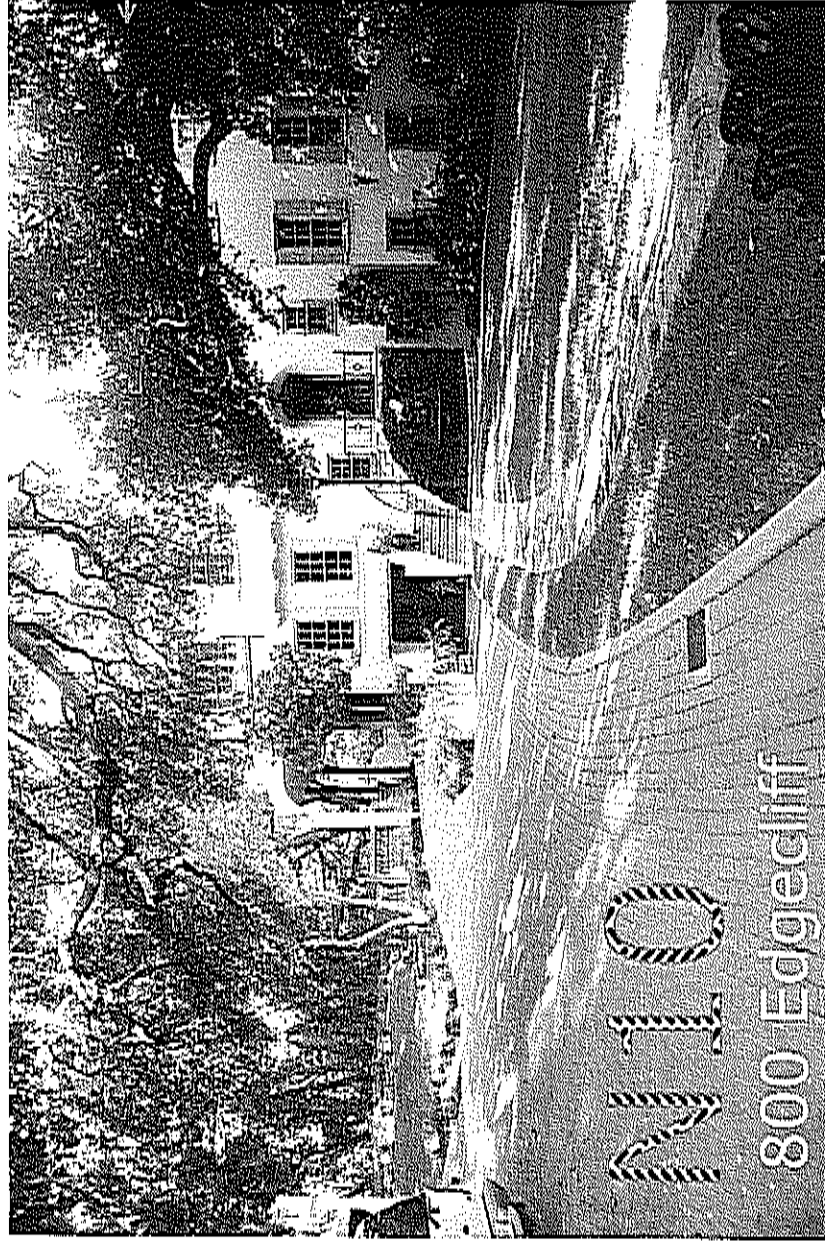
905 Edgedcliff: Lot 9,099, House 1,548, FAR 17%



804 Edgecliff

LOT: 14,410; House: 2,079; FAR: 14%

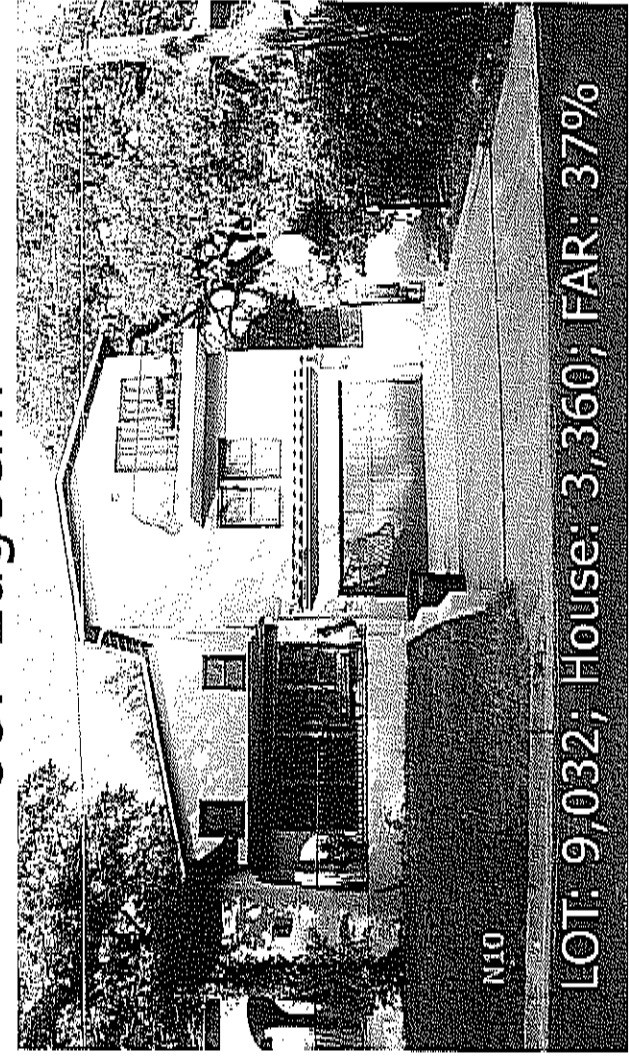




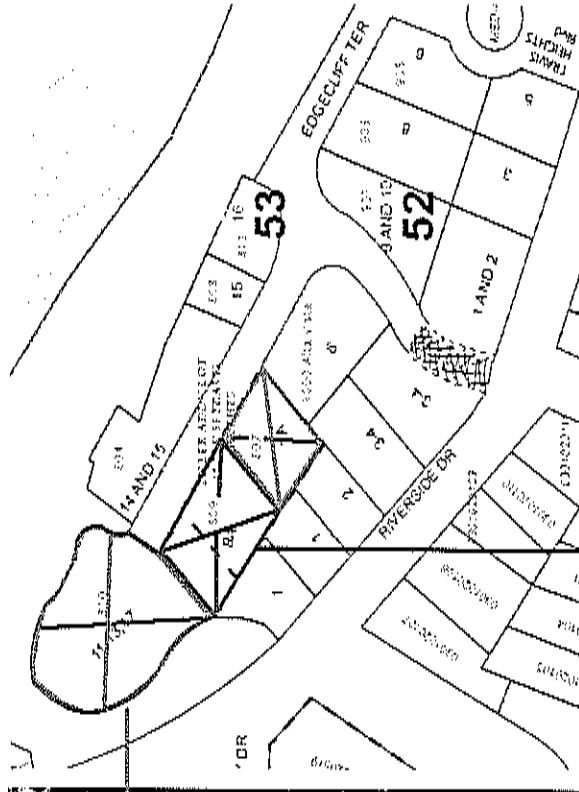
800 Edgecliff

LOT: 24,028; House: 3,613; FAR: 15%

807 Edgecliff



LOT: 9,032; House: 3,360; FAR: 37%



809 Edgecliff

LOT: 12,085; House: 3,066; FAR: 25%



Paul Rolke has described to me his plans for a remodel and addition at 812 Edgecliff Ter. That description included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback by approx. 5 ft. which is allowed under the McMansion Ordinance.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

I/we are the owners of the house at 808 Edgecliff Austin, TX.

☒ The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to me. I do not believe it will adversely affect the enjoyment or use of my property. I accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

☐ The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: Joe W. Kirven
Print Name: Joe W. Kirven
Date: March 23, 2010

Signed: Gloria E. Kirven
Print Name: Gloria E. Kirven

Paul Rolke has described to us his plans for a remodel and addition at 812 Edgecliff Ter. That description included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback by approx. 5 ft. which is allowed under the McMansion Ordinance.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

We, Kay Blissett Chang and Nancy Blissett, are the owners of the house at 804 Edgecliff Terrace since 1989. We have reviewed the information in this document and approve of Mr. Rolke's remodel and addition in the neighborhood. Please let this notation serve as our signatures of approval.

☒ The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to us. We do not believe it will adversely affect the enjoyment or use of our property. We accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

☐ The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: _____ Nancy Blissett Signed: _____ Kay Blissett Chang

Date: 20 March 2010

Paul Rolke has described to me his plans for a remodel and addition at 812 Edgecliff Ter. That discussion included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

I/we are the owners of the house at 905 EDGECLIFF TERRACE.

 The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to me. I do not believe it will adversely affect the enjoyment or use of my property. I accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

 The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: Pat Mathae

Signed: _____

Print Name: PATRICIA MATTHAE

Print Name: _____

Date: 2/20/10

Paul Rolke has described to me his plans for a remodel and addition at 812 Edgecliff Ter. That discussion included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

I/we are the owners of the house at 809 Edgecliff Terrace.

☒ The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to me. I do not believe it will adversely affect the enjoyment or use of my property. I accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

☐ The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: _____

Print Name: Jeffrey Lederberg

Date: 2/21/10

Signed: _____

Print Name: _____

Paul Rolke has described to me his plans for a remodel and addition at 812 Edgecliff Ter. That discussion included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

☒ We are the owners of the house at 807 Edgecliff Terrace, Austin TX 78704.

☒ The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to me. I do not believe it will adversely affect the enjoyment or use of my property. I accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

☐ The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: _____

Print Name: PATRICIA BERRAHOU

Date: 2/17/2010

Signed: _____

Print Name: FOUAD BERRAHOU

Paul Rolke has described to me his plans for a remodel and addition at 812 Edgecliff Ter. That discussion included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

I/we are the owners of the house at 800 Edgecliff Terrace.

☒ ^{attached} The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to me. I do not believe it will adversely affect the enjoyment or use of my property. I accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

☐ The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: Pam Walker

Print Name: Pam Walker

Date: 2/22/10

Signed: Tim Walker

Print Name: Tim Walker

Paul Rolke has described to me his plans for a remodel and addition at 812 Edgecliff Ter. That description included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback by approx. 5 ft. which is allowed under the McMansion Ordinance.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

I/we are the owners of the house at 1000 Glen Vista

☒ The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to me. I do not believe it will adversely affect the enjoyment or use of my property. I accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

☐ The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: Maria Reeves

Signed: _____

Print Name: MARIA REEVES

Print Name: _____

Date: 4/12/10

RE: 812 Edgecliff Ter. board of adjustment

Reeves, Robert [Robert_Reeves@xxx.com]

SENT Fri 4/9/2010 2:06 PM

TO Paul Rolke

Paul,

Please accept this letter as Maia and I's approval for your plans to improve your property. We are very excited about your plans and wish you the best of luck in securing your approval from the city.

I'm simply not close to a fax machine or scanner today and thought you would much rather a response quickly.

Take care, neighbor!

Robert Reeves

Maia Langford

Owners 1000 Alta Vista

Paul Rolke has described to me his plans for a remodel and addition at 812 Edgecliff Ter. That description included the following items:

1. Reviewing the elevations, site plan, and floor plan for the proposed remodel and addition.
2. Reviewing lot size, house size, and floor to area ratio for other houses on Edgecliff.
3. The existing house is approximately 2509 sq.ft. on a 5681 sq.ft. lot, resulting in a floor to area ratio of approximately 44%.
4. The addition would increase the house to 2794 ft.² with a floor area ratio of approximately 49%, which exceeds what the McMansion ordinance allows by approximately 494 sq.ft.
5. The footprint of the existing house will actually be decreased slightly, except that a front porch will be added. That porch will encroach into the 25 foot front setback by approx. 5 ft. which is allowed under the McMansion Ordinance.
6. The plans will maintain the existing 14 foot front setback at the southeast corner of the house and the existing covered porch on the east side of the house which will be trimmed back so as not to encroach off the property but will not meet the 5 foot side building setback line.
7. The plans also call for maintaining an existing two-story section at the rear of the house which is approximately 15 feet wide and which protrudes into the 10 foot rear setback line four feet.
8. The plans also maintain a portion of the existing wooden deck at the rear of the property which encroaches on all 10 feet of the rear building setback line.
9. Presently, the impervious coverage on the property is 63% or 1040 sq.ft. over the 45% prescribed limit. The proposed remodel and addition would reduce the impervious coverage to approximately 49% or 215 sq.ft. over the limit.
10. The front façade of a somewhat unsightly two-story addition done in 1998 will be reduced in bulk and better fitted with the remainder of the house. The redbrick ranch-style exterior of the house will be changed to stonework or a product that simulates stonework.
11. The addition will all happen on the second story (excepting the front porch), and will all happen on the back half of the house (give or take a couple of feet).

I/we are the owners of the house at 905 Edgecliff Terrace.

☒ The proposed remodel and addition at 812 Edgecliff Ter. is acceptable to me. I do not believe it will adversely affect the enjoyment or use of my property. I accept Mr. Rolke's argument that he has made an earnest effort to meet the existing zoning standards but is hampered by owning a small lot on a street that is dominated by significantly larger houses.

☐ The proposed remodel and addition at 812 Edgecliff is NOT acceptable to me for these reasons:

Signed: Nadine Mattheaen

Signed: _____

Print Name: NADINE MATTHEAEN

Print Name: _____

Date: 04.08.2010

CITY OF AUSTIN

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

ROW #

10 385/60
C15-2010-0009
TP-0201030401

STREET ADDRESS: 812 Edgecliff Ter.

LEGAL DESCRIPTION: Subdivision - Travis Heights

Lot(s) 16 Block 53 Outlot Division

I Paul Rolke affirm that on March 12, 2010, hereby apply for a hearing before the Board of Adjustment for consideration to:

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☒ MAINTAIN

- 1.) Decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to 5,681 square feet, a 1.2% decrease.
- 2.) Maintain an existing 4 ft. deep x 12 ft. wide protrusion of the house which encroaches into the 10 ft. rear setback.
- 3.) Maintain an existing rear wooden deck, which encroaches into the 10 ft. rear setback all the way to the property line.
- 4.) Reduce existing impervious cover (currently 3,356 sq.ft. or 59%, which is 800 sq.ft. or approximately 1/3 over the 45% limit) to 161 sq.ft. or 6% in excess of the 45% limit. An 84% reduction of the non-compliance.
- 5.) Maintain (209 sq.ft.) and Add (281 sq.ft.) a Total of 490 sq.ft. or 9% exceedance of allowed floor to area ratio.

in a SF-3 - N.P. district.

(zoning district)

(South River City)

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

1.) SF3 zoning does not allow reasonable development to occur on a small, shallow, irregularly shaped lot that is adjacent to a Greenbelt area.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

Converting an existing Duplex to a Single Family Residence makes complying with zoning regulations more complicated and less efficient. Small lot (5486 sq. ft.). Extremely shallow lot: 71 ft. on one side, 46 ft on the other (due to curve of road). Consequently, no back yard except for 10 ft. setback. Three live oaks (16.5 to 30 inches in diameter) at NW corner occupy some of the limited buildable space. Excepting the addition of 281 net square feet of FAR increase, the offending structures are pre-existing (see supplemental information submitted). The lot is exactly as drawn on the 1913 Travis Heights Plat.

- (b) The hardship is not general to the area in which the property is located because:

In General, other lots in the area are substantially larger, are not irregular due to curving street ROW and do not have protected trees in the legal building area. The two other lots on the lake side of Edgecliff are also shallow but not reduced by a curving street ROW. Other lots in the neighborhood are sufficiently large, when using FAR as the sole measure of compatibility with respect to house size and bulk, to allow development equal to or greater in size than the proposed remodel and addition. Other lots in the area are sufficiently deep to allow 32 ft. of building depth plus six ft. of back porch deck without encroaching on the rear setback.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

At rear and on SE side, lot adjoins city park land which cannot be built on, therefore the need for light, air, and separation of structures and utilities is not a salient issue. About two feet beyond rear lot line is a roughly 35 ft. cliff down to the shore of Lady Bird Lake, which further diminishes the impact of subject property's setback encroachments on the adjoining city park land. The only privately owned abutting lot (808) has a house which encroaches beyond the rear property line approximately 5-13 ft. with a concrete porch encroaching an additional 8 ft. beyond the house, has over 60% impervious cover, and a FAR in excess of 50%. Therefore it is not a conforming property in regard to the specific variances requested here. The Only other house on the same side of Edgecliff is approx. 160 ft. from the subject lot and also has no back yard except for the rear setback and the setback is completely covered with a 100% impervious porch. The intersection of Edgecliff and Alta Vista, where the subject property is located, is dominated by two massive houses (5,223 sq. ft. and 3374 sq. ft.) which would be hard for anything built on the subject property to aesthetically overwhelm. Further, one of those houses fronts on AltaVista, therefore the setback from Edgecliff is only 10 feet. The proposed house at 2,790 sq.ft. is smaller than the allowed development on the average lot in Travis Heights, and smaller than the average allowed and existing development on Edgecliff or the four nearest lots. Because the hardships under which the variances are sought are unique to the property, granting the variance will not create a precedent which impairs the purpose of the ordinance. Maintenance of existing structures at the rear of the property and a modest addition towards the rear of the existing house should have minimal impact on these properties or any others in the area. The changes proposed in this remodel and addition will take an existing duplex and convert it to a single-family home, minimize the impacts of a previous and somewhat coarse second-story addition, alter a redbrick ranch-style façade which mismatches every other house on the street, conform to the intent of the ordinance, and generally create a contemporary house which fits better with the surrounding neighborhood than the existing house.

PARKING: (Additional criteria for parking variances only.)

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 812 Edgecliff

City, State & Zip Austin, TX 78704

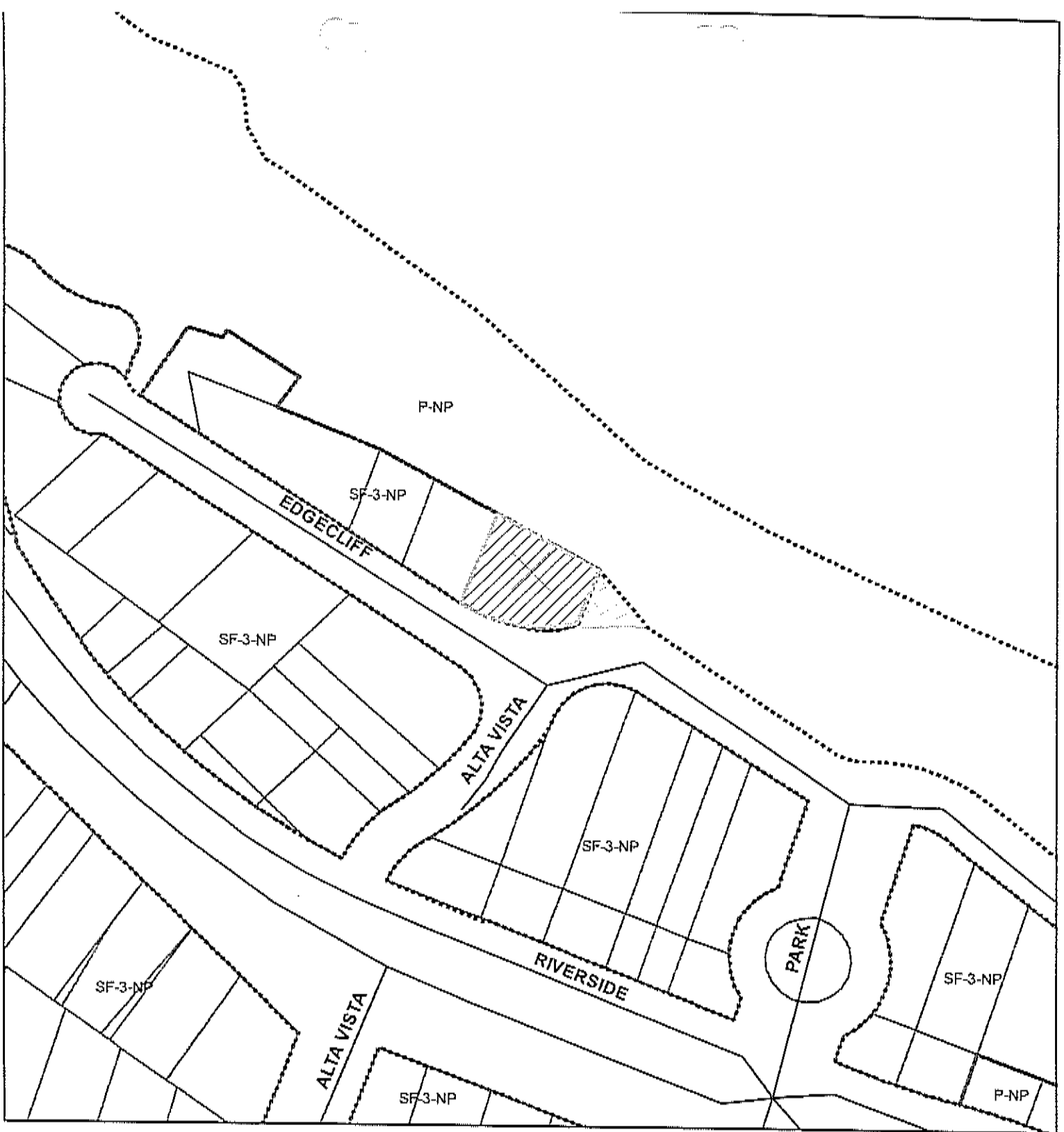
Printed Paul Rolke Phone (512) 992- 0472 Date _____

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 812 Edgecliff

City, State & Zip Austin, TX 78704

Printed Paul Rolke Phone (512) 992- 0472 Date 4/1/10



Board of Adjustments



SUBJECT TRACT



ZONING BOUNDARY

1" = 100'

OPERATOR: H. PARKER

CASE#: C15-2010-0009
 ADDRESS: 812 EDGECLIFF TER
 GRID: J21
 MANAGER: SUSAN WALKER



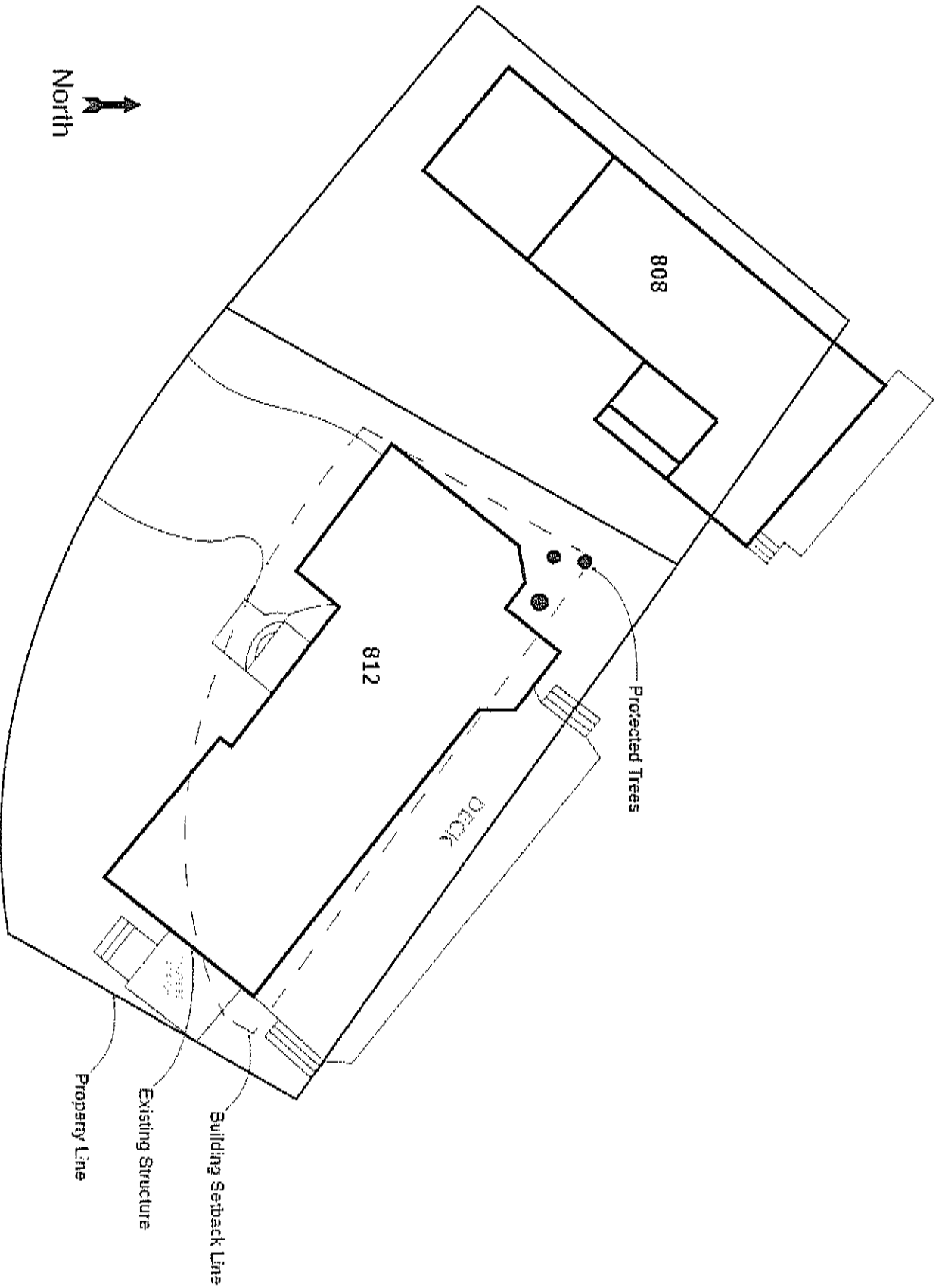
This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
 No warranty is made by the City of Austin regarding specific accuracy or completeness.

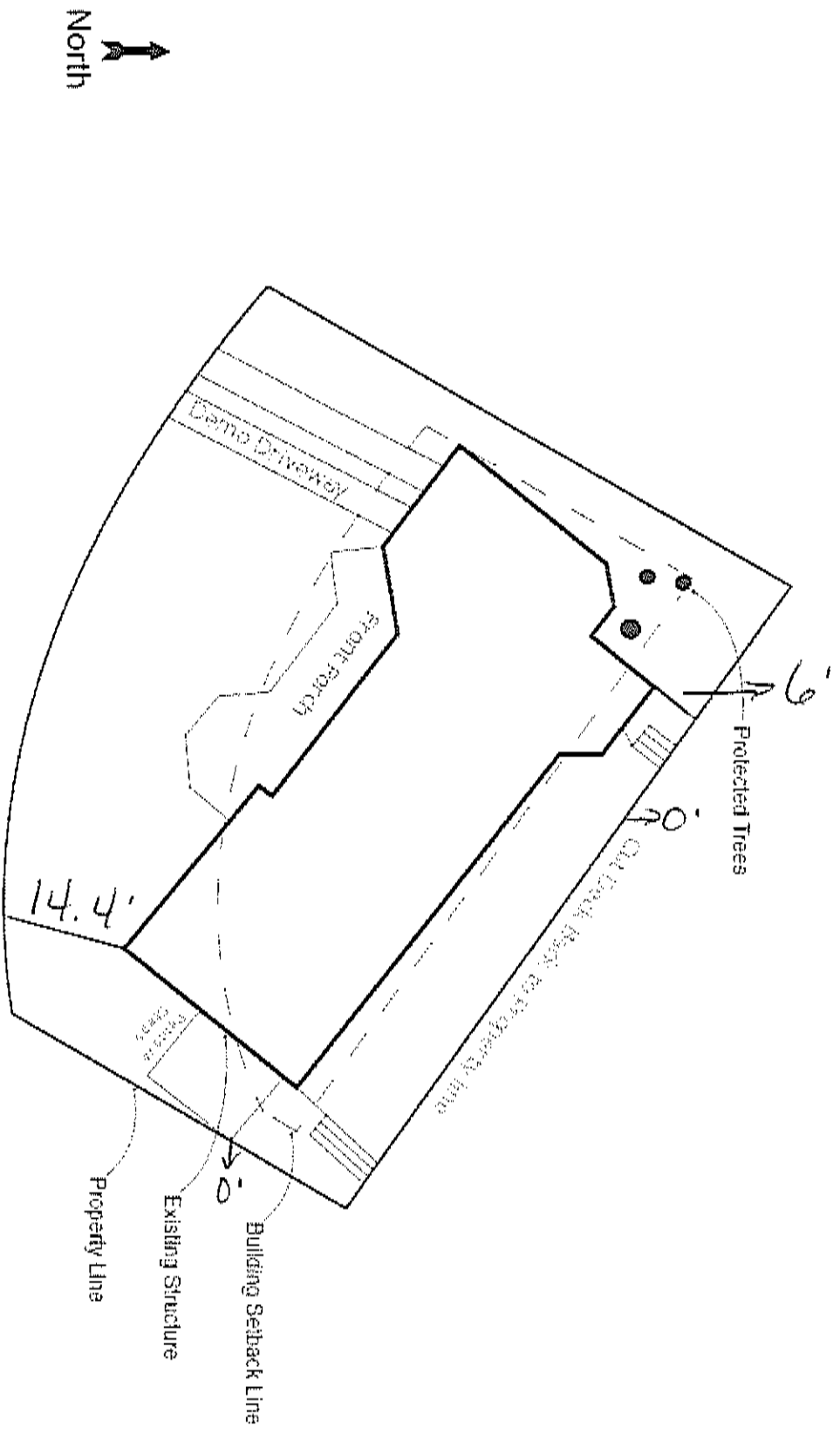
A1

Sheet Existing Site Plan
Date: 12/21/2009
Scale: 1/20

Client: Paul Rolke
Address: 812 Edgecliff Terrace, Austin, TX

R. Salance Design and Project Management
4018 Welsh Place, Boulder, CO 80301

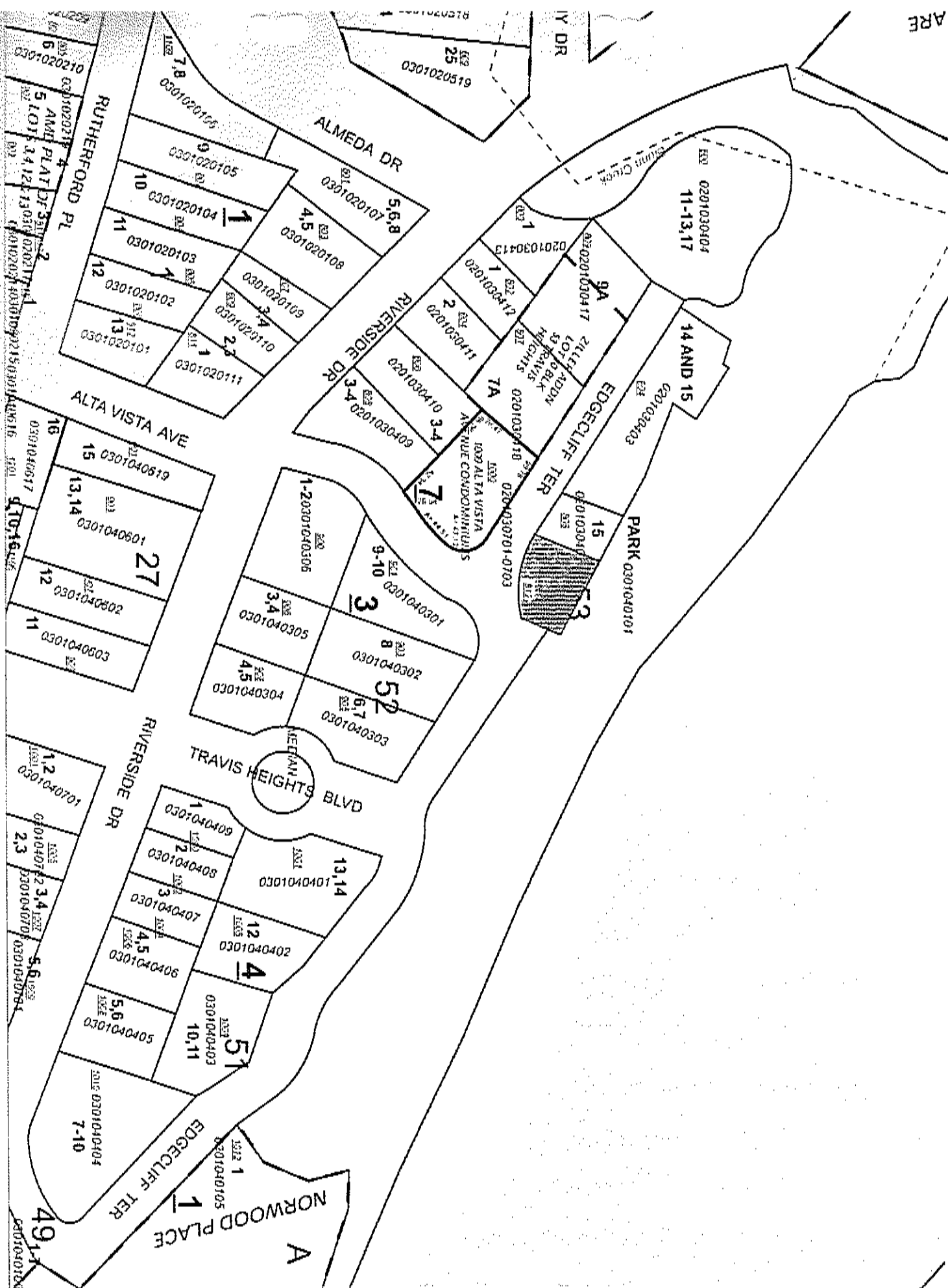




A2 <small>DATE: 3/22/2009</small> Proposed Site Plan <small>Scale: 1"=50'</small>	<small>Client:</small> Paul Rolke <small>Address:</small> 812 Edgecliff Terrace, Austin, TX	R. Salance Design and Project Management 4018 Welsh Place, Boulder, CO 80301
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ARE

IV DR



1st Floor Development
Assistant Center. 505
Barton Springs Road



Kramer Service Center
2412 Kramer Lane, Bldg. "C"
Austin, Texas 78758
(512) 505-7206

Austin Energy
Electric Service Planning Application (ESPA)
(Please Print or Type)

St. Elmo Service Center
4411-B Melnardus Drive
Austin, Texas 78744
(512) 505-7500

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

Customer Name Paul Rolke Phone 992-0472
Address 812 Edgecliff Ter.
Legal Description Travis Heights
Lot 16 Block 53 Commercial/Residential? Res

Service Main Size — (amps) Service Conductor — (type & size)
Service Length — Number of Meters? — Multi-Fuel Y N
Overhead/Underground? RE Voltage 480 ☒ Single-phase (1Ø) ☐ Three-phase (3Ø)
Total Square Footage — Total A/C Load — (# of units) — (Tons)
Largest A/C unit — (Tons) LRA of Largest A/C Unit — (amps)
Electric Heating — (kW) Other — (kW)

Comments: Addition to existing house/garage
with second floor/ Life Safety

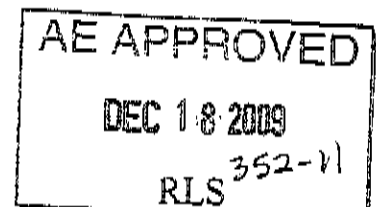
ESPA Completed by (Signature & Print name) _____ Date _____ Phone _____

AE Representative _____ Date _____

Approved: ☒ Yes ☐ No (Remarks on back) Phone 974-2632

Application expires 180 days after date of Approval

All structures etc. must maintain 7'6"
clearance from AE energized power
lines. Enforced by AE & NESC codes.





City of Austin BUILDING PERMIT

PERMIT NO: 2010-011964-PR

Type: RESIDENTIAL

Status: In Review

812 EDGECLIFF TER

Issue Date:

EXPIRY DATE: 02/12/2010

LEGAL DESCRIPTION Lot: 16 Block: Subdivision:	SITE APPROVAL	ZONING SF-3-NP
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PROPOSED OCCUPANCY:	WORK PERMITTED: Addition and Remodel	ISSUED BY:
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****Partial demo of front right corner of garage, rear northwest corner and roof. Addition to add 2 bedrooms and front porch. Full interior remodel. Interior wall demo included. Change of use to convert duplex to single family (work to include removal of kitchen).

TOTAL SQFT	VALUATION Tot Val Rem: \$4.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS	UNITS	# OF PKG SPACES
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

Contact Applicant, Rory Salance	Phono (303) 818-4379	Contact	Phone
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Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

Life safety permit #1997-010990BP.

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin BUILDING PERMIT

PERMIT NO: 2010-012063-PR

Type: RESIDENTIAL

Status: In Review

812 EDGECLIFF TER

Issue Date:

EXPIRY DATE: 02/12/2010

LEGAL DESCRIPTION Lot: 18 Block: Subdivision:						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Life Safety				ISSUED BY:			
Life Safety for certificate of occupancy New Garage & 2nd Fl Storage W/Loft & Bathrm & Addn & Over Portion Of Exist Wood Deck To Create Dining Rm Expansion & Stairs									
TOTAL SQFT Now/Addn: 1,050		VALUATION Tot Val Rem: \$00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 2	UNITS 2	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

Contact Applicant, Rory Salanco	Phone (303) 818-4379	Contact	Phone
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Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Pation, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay now fees.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

Expired Permit Number: 1997-010998BP

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.

Rose Modrall

812 Edgecliff Terrace

134

16

53

- -

Travis Heights

Open carport Attached to duplex.

46635 11-1-50

\$475.00

Floyd Johns

-

Rose Modrall

812 Edgecliff Drive

134

16

53

- -

Travis Heights

Brick veneer duplex.

39277 10-11-48

\$12000.00

Bob Bright

Susan Walker (or whoever is covering for Susan right now):
Board of Adjustment
505 Barton Springs Rd., second floor
Austin, TX 78704

Re: BOA case – C15 2010 – 0009, a.k.a. 812 Edgecliff

The referenced case should be on the agenda for the March board meeting. I am hereby requesting a one-month delay, whereby the board would take up this case in their April meeting.

I understand that this is late notice to request such a change. My architect, Rory Salance and I met with Sylvia Benavidez last Friday to submit an application for a FAR variance through the RDCC. In the course of reviewing the application Sylvia came up with 3 to 5 variances we need from the BOA, in addition to the three already requested in the BOA application currently filed. I did not leave that meeting with sufficient clarity about the additional variances. Therefore I am unable to draft a clear and complete revision to my BOA application until these issues are clarified. Sylvia is out of the office until Wednesday and looked more or less solid until Friday. That is why I am requesting this delay at this relatively late date.

I do not plan to start construction on my remodel for a few months, so this delay will not adversely affect me. I hope that it does not create problems for you in terms of the notification process etc.

I assume you will have a mountain of work to address when you are able to get back to work full-time. When you have finished putting out the raging fires, I would appreciate your getting in touch with me.

Thank you for your attention to this matter. And I hope that your recovery is as thorough and painless as possible.

Sincerely,

Paul Rolke
Owner
812 Edgecliff Ter.

received
7/16/10

Walker, Susan

From: Paul Rolke [prolke@earthlink.net]
Sent: Tuesday, February 16, 2010 6:17 AM
To: Walker, Susan
Cc: 'Rory Salance'; Benavidez, Sylvia
Subject: BOA case -- C15 2010 -- 0009, a.k.a. 812 Edgecliff

Susan Walker (or whoever is covering for Susan right now):
Board of Adjustment
505 Barton Springs Rd., second floor
Austin, TX 78704

Re: BOA case -- C15 2010 -- 0009, a.k.a. 812 Edgecliff

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Sincerely,

Paul Rolke
Owner
812 Edgecliff Ter.

Paul Rolke
812 Edgecliff Ter.
Austin TX 78704
(512) 992-0472

2/16/2010

Walker, Susan

From: Paul Rolke [prolke@earthlink.net]
Sent: Thursday, January 14, 2010 10:03 PM
To: Walker, Susan
Subject: 812 Edgecliff Rolke BOA application

Ms. Walker:

As we discussed a couple of weeks ago, I would like to delay the BOA variance application for 812 Edgecliff so that it will be considered in the March Board meeting. You asked that I let you know about the delay by this week. Please reply to verify that you received this e-mail and that my application will be considered at the March Board meeting.

Thank You,

Paul Rolke
812 Edgecliff Ter.
Austin TX 78704
(512) 992-0472

1/21/2010



NOTICE OF PUBLIC HEARING LAND DEVELOPMENT CODE VARIANCE

Mailing Date: April 1, 2010

Case Number: C15-2010-0009

Please be advised that the City of Austin has received an application for a variance from the Land Development Code.

Applicant : Paul Rolke

Telephone : (512)992-0472

Address 812 EDGECLIFF TER

Lot: 16 Block: Subdivision: Travis Heights

Variance Request(s):

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 6 feet for a 15 foot existing section of the residence and from 10 feet to 0 feet for the existing rear deck in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence - Neighborhood Plan zoning district.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% ~~(6.3%)~~ existing) to 48% in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence - Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to \$,681 square feet in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence - Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet along the east property line in order to maintain a screened covered wood deck in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence - Neighborhood Plan zoning district. (We met with John McDonald - based on presenting a 1984 aerial photo of the porch they will treat it as existing noncompliant and accept it as is without a variance.)

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 14.4 feet in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence - Neighborhood Plan zoning district. (We met with John McDonald - because this is the foot print of the original 1948 house they will treat it as existing noncompliant and accept it as is without a variance.)

The applicant has requested a variance to increase the maximum floor to area ratio requirement of Subchapter F, Article 2, Subsection 2.1 from .4 to 1.0 to .49 to 1.0 in order to maintain (209 square feet) and add (281 square feet) in order to erect an addition to and change the use of an existing duplex residential use to a single-family residence in an "SF-3-NP", Family Residence - Neighborhood Plan zoning district.

This application is scheduled to be heard by the Board of Adjustment on April 12, 2010. The meeting will be held at City Council Chambers, 301 West 2nd Street beginning at 5:30 PM.

You are being notified because City Ordinance requires that all property owners and utility account holders within 500 feet of the proposed development and affected neighborhood organizations be notified when an application is scheduled for a public hearing. If you have any questions concerning this application, please contact Susan Walker of the Planning and Development Review Department at 974-7202 and refer to the Case Number at the top right of this notice. However, you may also find information on this case at our web site www.ci.austin.tx.us/devreview/index.jsp.

For additional information on the City of Austin's land development process, please visit our web site www.ci.austin.tx.us/development.

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